

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4604 of 2019

Hari Charan S/o Ramji, aged about 26 years R/o Ghantadwari,
Police Station Urga, District Korba Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, through Station House Officer, Pamgarh,
District Janjgir- Champa Chhattisgarh.

---- Respondent

AND

MCRC No. 4645 of 2019

Prakash Chand S/o Gendram Aged About 29 Years Caste
Satnami, R/o Village Patadi, Thana And Tahsil Korba, District-
Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Pamgarh, District-
Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant (In MCRC No.4604/2019) : Mr. Ajay Ayachi, Advocate.
For Applicant (In MCRC No.4645/2019) : Mr. Vikas Pandey, Advocate.
For Respondent/State : Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

05/08/2019

1. Heard.
2. Since both the cases arise out of same Crime Number, therefore they are being disposed of by this common order.
3. The Applicant in MCRC No.4604/2019 has preferred this second

bail application under Section 439 of Cr.P.C., the Applicant in MCRC No.4645/2019 has preferred this first bail application under Section 439 of Cr.P.C., for grant of regular bail as they are arrested in connection with crime No. 113/2019, registered at Police Station–Pamgarh, District-Janjgir-Champa (C.G.) for the offence punishable under Sections 454, 380 read with 34 of IPC.

4. The first bail application of Applicant in MCRC No.4604/2019 was dismissed for want of prosecution vide order dated 05.07.2019 passed in MCRC No.4392/2019.
5. As per the prosecution story, on 08.03.2019, complainant Saraswati Bai lodged a report in the concerned Police Station alleging therein that three unknown persons came to her house and represented themselves as officers of Indira Awas Allotment Committee and assured the complainant and her family members that they can arrange the house for them and therefore the photographs of family members is required. It is further alleged that they have directed the complainant to take out her gold chain and as directed by them, the complainant done the same, suddenly two of them have snatched the gold chain and they all ran away from the spot. On the basis of said report, offence has been registered. The Applicants were arrested on 27.03.2019.
6. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the present case. The Applicants are in custody since 27.03.2019, charge sheet has been filed and trial is likely to take some time. Therefore, they may be released on bail.
7. Per contra, learned Counsel appearing on behalf of the State opposes the bail applications.
8. I have heard learned Counsel for the parties and perused the case diary with due care.
9. Considering the facts and circumstances of the case, particularly

considering the fact that the Applicants are in custody since 27.03.2019, charge-sheet has been filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicants on bail.

10. Accordingly, the bail applications are allowed.

11. It is directed that the Applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

12. Meanwhile, it is directed that the record of the Court below be sent back to the concerned Court.

**Sd/-
(Arvind Singh Chandel)
Judge**