

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2481 of 2019**

Renu Sahu, W/o. Late Shri Vinay Sahu, Aged About 40 Years, R/o. Neharu Nagar, Balco, Police Station- Balco, District- Korba, Chhattisgarh.

---- Applicant

Versus

S.H.O. - RPF Korba, District- Korba, Chhattisgarh, (Wrongly Mention State Of Chhattisgarh).

---- Respondent

AND**M.CR.C. No. 4681 of 2019**

Krishna Tiwari, S/o. Shri Babulalm Aged About 39 Years, R/o. Nehru Nagar, Police Station Balco, District Korba Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through the Police Station – R.P.F., District – Korba (C.G.)

---- Respondent

For Applicant : Mr. Deepak Jain, Advocate
In M.Cr.C. No.2481 of 2019

For Applicant : Mr. Amit Kumar Chaki, Advocate
In M.Cr.C. No.4681 of 2019

For Respondent : Mr. Abhisek Sinha, Advocate with
Mr. Vaibhav Maheshwari, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**09/08/2019**

1. Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and the incident.
2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.01/2019,

registered at Police Station – R.P.F. Korba/G.R.P. - Balco, District – Korba (C.G.) for the offence punishable under Section 41(1-4) of Cr.P.C. and 379 of I.P.C. and Section 3-a R.P. U.P. Act.

3. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. No case is made out against the applicants. The applicants are in jail since 22.02.2019. Charge-sheet in this case has been filed after completion of investigation. Hence, it is prayed that the applicants may be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted particularly against the applicant Renu Sahu that there are 11 previous cases registered against this applicant and out of which in one case she has been convicted, therefore, she is not entitled for grant of bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, truck bearing C.G.-12 S -1335 loaded with scrap driven by the applicant Krishna Tiwari was stopped and searched. Finding that scrap was railway property, seizure was made accordingly by the respondent. It was discovered that the applicant Renu Sahu is owner of the said truck, which was used for transportation of stolen railway property. Hence, this case.
7. Considered on the submissions made and the contents of the case diary. Considering that the investigation in this case is completed and the trial is likely to take sometime, there are although cases against the

applicant Renu Sahu, in which she is facing trial that can not be made a ground to reject the bail application in this case, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

8. Accordingly, the both the bail applications filed under Section 439 of the Cr.P.C. are allowed.
9. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram