

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4930 of 2019

1. Govinda @ Govind Pardhi S/o Ishwari Pardhi, Aged About 30 Years, R/o Village Rajpur, Police Station and Tahsil Dhamdha, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, Through The Station House Officer, Police Station Gandai, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Non-applicant

MCRC No. 5390 of 2019

1. Anil Sisodiya S/o Durgu Sisodiya, Aged About 22 Years, Caste Pardhi, R/o Village Khisora, Out Post Devkar, Police Station Saja, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, Through Police Station Gandai, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

--- Non-applicant

For Applicant– Shri C.P. Soni and Shri Jitendra Gupta, Advocates (in MCRC No.4930 of 2019),
Shri Abhishek Pandey, Advocate (in MCRC No.5390 of 2019).

For Non-applicant/State – Shri Neeraj Pradhan, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

28-08-2019

1. As both these applications arise out of the same crime number, i.e., Crime No.39/2019 registered at P.S. Gandai, District Rajnandgaon, Chhattisgarh for offence under Section 457 and 380 of the IPC, they are being decided by this common order.

2. MCRC No.4930 of 2019 has been filed by applicant Govinda @ Govind Pardhi and MCRC No.5390 of 2019 has been filed by applicant Anil Sisodiya for grant of regular bail under Section 439 of the Cr.P.C. as applicant Govinda @ Govind Pardhi has been arrested on 01-02-2019 and applicant Anil Sisodiya has been arrested on 02-02-2019 in connection with aforesaid crime number

and offence.

3. It is submitted by learned counsel for applicants that these applicants have been falsely implicated in this case. Applicant Govinda @ Govind Pardhi is in jail since 01-02-2019 and applicant Anil Sisodiya is in jail since 02-02-2019. No case is made out against these applicants. Charge sheet has been filed after completion of the investigation. Therefore, it is prayed that the applications may be allowed.

4. Learned counsel for the State/non-applicant opposes the applications submitting that the applicants have criminal history, therefore, the applications may be rejected.

5. Heard learned counsel for the parties and perused the case diary.

6. Complainant Chintaram Patel has lodged the FIR that cash amount of Rs.2,25,000/- has been stolen from his house by some unknown persons. The applicants were apprehended and then the cash amount has been recovered and seized at their instance. Hence, this case.

7. Considering that the applicants are in jail since about more than 6 months and there is likelihood of delay in trial against them, I feel inclined to allow both these applications.

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

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge