

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6778 of 2019**

- Sandeep Kotak S/o Late Dinesh Kotak Aged About 40 Years, R/o Brahmanpara Ward No. 10, Nawapara Rajim, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station Devbhog District - Gariyaband, Chhattisgarh.

---- Respondent

With**MCRC No. 6796 of 2019**

- Sandeep Kotak S/o Late Dinesh Kotak Aged About 40 Years, R/o Brahmanpara Ward No. 10, Nawapara Rajim, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : P. S. Amlipadar, District Gariyaband, Chhattisgarh.

---- Respondent

With**MCRC No. 6800 of 2019**

- Sandeep Kotak S/o Late Dinesh Kotak Aged About 40 Years, R/o Brahmanpara Ward No. 10, Nawapara Rajim, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : P. S. Devbhog, District Gariyaband, Chhattisgarh.

---- Respondent

With**MCRC No. 6882 of 2019**

- Sandeep Kotak S/o Late Dinesh Kotak Aged About 40 Years, R/o Brahmanpara Ward No. 10, Nawapara Rajim, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : P.S. Amlipadar, District- Gariyaband, Chhattisgarh.

---- Respondent

With

MCRC No. 6885 of 2019

- Sandeep Kotak S/o Late Dinesh Kotak Aged About 40 Years, R/o Brahmanpara Ward No. 10, Nawapara Rajim, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : P.S. Devbhog, District- Gariyaband, Chhattisgarh.

---- Respondent

With

MCRC No. 6973 of 2019

- Sandeep Kotak S/o Late Dinesh Kotak Aged About 40 Years, R/o Brahmanpara Ward No. 10, Nawapara Rajim, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station Mainpur District - Gariyaband Chhattisgarh.

---- Respondent

With

MCRC No. 6974 of 2019

- Sandeep Kotak S/o Late Dinesh Kotak Aged About 40 Years, R/o Brahmanpara Ward No. 10, Nawapara Rajim, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station Mainpur, District Gariyaband, Chhattisgarh.

---- Respondent

With

MCRC No. 7073 of 2019

- Sandeep Kotak S/o Late Dinesh Kotak Aged About 40 Years, R/o Brahmanpara Ward No. 10, Nawapara Rajim, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Mainpur, District Gariyaband, Chhattisgarh.

---- Respondent

With

MCRC No. 7083 of 2019

- Sandeep Kotak S/o Late Dinesh Kotak Aged About 40 Years, R/o Brahmanpara Ward No. 10, Nawapara Rajim, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : P. S. Mainpur, District Gariyaband Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Prafull N. Bharat, Adv. with Ms. M. Asha, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

02/12/2019

1. As the applicant in all the above 9 bail applications is one and same, they are being heard and disposed of by this common order.
2. The accused/applicant has moved these applications under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime Nos. 62/2015, 64/2015, 63/2015 registered at Police Station-Devbhog, District-Gariyaband (C.G.), Crime Nos. 36/2015, 37/2015 registered at Police Station-Amlipadar, District-Gariyaband (C.G.) and Crime Nos. 88/2015, 90/2015, 87/2015 and 89/2015 registered at Police Station-Mainpur, District-Gariyaband (C.G.) for the offence punishable under Sections 420, 406, 407, 467, 468, 201, 414 and 471 read with 34 of the IPC.
3. The prosecution story, in brief is that, complainant Santosh Mandey lodged a written report that from 03.03.2015 to 11.03.2015, from the Paddy Procurement Center, Urmal, the trucks bearing registration Nos. CG-04-J-4852 and CG-04-JB-3319 were loaded with paddy and were sent to Paddy Collection Center Jondhabhata and Kundelbhata by driver Raju, however, the said trucks never reached to their respective destination. It is the allegation that one

Ajay Sharma has undertaken the contract of transportation of Paddy. The present applicant was working under said Ajay Sharma as a Sub-Contractor. Based on this offence has been registered against the present applicant.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the co-accused Ajay Sharma has already been granted bail in MCRC Nos. 4110/2019, 4071/2019, 4104/2019, 4139/2019, 4140/2019, 4141/2019, 4036/2019, 4142/2019 and 4117/2019, and the present applicant may also be extended the benefit of bail. He submits that the applicant is in jail since 29.05.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail applications.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the fact that the co-accused Ajay Sharma has already been granted bail by this Court, the present applicant is in jail since 29.05.2019 and the trial is likely to take some time for its final disposal, I am of the opinion that present are the cases fit to release the applicant on bail. Accordingly, the applications are allowed.
8. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- in respect of each crime number with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

