

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5738 of 2019**

- Mahendra Kumar Ahirwar & Anr. S/o Jivanlal Ahirwar Aged About 22 Years Cast Ahirwar, R/o Semadhana, Near Shiv Mandir, Ward No. 7, Thana Jesi Nagar, District Sagar (M.P.),
- Sunil Kumar Ahirwar S/o Lakhanlal Ahirwar Aged About 35 Years Cast Ahirwar, R/o House No. 500 Gaur Nagar, Thana Maknoriya, District Sagar, Madhya Pradesh

**---- Applicants****Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Dongargarh, District Rajnandgaon, Chhattisgarh.

**---- Respondent****MCRC No. 5930 of 2019**

- Hemraj Pali S/o Shri Gopal Pali Aged About 30 Years R/o P.W.D. Colony, Jaitpur Road Ward No. 08, Tendukheda, Narsinghpur Madhya Pradesh.

**---- Applicant****Versus**

- State Of Chhattisgarh Through Police Station, Dongargarh, District Rajnandgaon Chhattisgarh.

**---- Respondent****MCRC No. 6186 of 2019**

- Rajpal Yadav S/o Shri Chandrabhan Yadav Aged About 36 Years R/o Village - Purajodo, Police Station Bhangarh, District Sagar, Civil And Revenue District Sagar ( M.P.)

**---- Applicant****Versus**

- State Of Chhattisgarh Through Police Station - Dongargarh, District - Rajnandgaon Chhattisgarh.

**---- Respondent**

**MCRC No. 6876 of 2019**

- Anrath Gurjar S/o Bhole Singh Gurjar Aged About 24 Years  
Caste- Gurjar, R/o Village Paloha, Near Shankar Mandir, Thana  
- Paloha, District Narsinghpur Madhya Pradesh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police  
Station Dongargarh, District Rajnandgaon Chhattisgarh.,

**---- Respondent**

**MCRC No. 7059 of 2019**

- Rambabu Yadav S/o Shri Ratan Singh Yadav, Aged About 27  
Years R/o Near Pandhav Primary School, P.S. Bhangarh,  
District Sagar, Civil And Revenue District Sagar (Mp)

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Police Station Dongargarh,  
District Rajnandgaon Chhattisgarh

**---- Respondent**

---

|                      |                                                                               |
|----------------------|-------------------------------------------------------------------------------|
| For Applicants       | : Shri Vikas Pradhan, Shri B.P.Singh and<br>Shri Manoj Kumar Sinha, Advocates |
| For Respondent/State | : Shri Akhtar Hussain, PL                                                     |

---

**Hon'ble Smt. Justice Rajani Dubey**

**Order On Board**

**15/11/2019**

As all these M.Cr.C's arise out of the same crime number they  
are being disposed of by this common order.

The applicants have filed these applications under Section 439

of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 385/2019 registered at police station Dongergarh, district Rajnandgaon (CG) for the offence punishable under Sections 399 and 402 IPC.

As per case of the prosecution, on receiving information, the police reached the spot and seized some cash amount, sharp knife, rod and one plastic pistol from the applicants. It is alleged that the applicants were preparing for committing dacoitee.

Counsels for the applicants submits that the applicants have been falsely implicated in the crime in question. It is further submitted that the applicants have come to Dongergarh to visit the temple and there was no intention for committing the said offence. It is submitted that the offences as alleged against the applicants are not attracted against them. It is submitted that looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion. Lastly, it is also submitted that the applicants are in jail since 21.07.19.

On the other hand, learned counsel for the State opposes the bail applications.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 25,000/- each with two local sureties in the like

sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-

(Rajani Dubey)  
Judge