

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8874 of 2018

- Parmeshwar Sahu S/o Rohan Lal Sahu Aged About 29 Years R/o Tifra P. S. Sirgitti Bilaspur District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Bilha District Bilaspur Chhattisgarh

---- Respondent

AND

MCRC No. 9008 of 2018

- Parmeshwar Sahu S/o Rohan Lal Sahu Aged About 29 Years R/o Tifra, Police Station- Sirgitti, Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Masturi, District- Bilaspur, Chhattisgarh.

---- Respondent

AND

MCRC No. 9010 of 2018

- Parmeshwar Sahu S/o Rohan Lal Sahu Aged About 29 Years R/o Tifra, Police Station- Sirgitti, Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Takhatpur, District- Bilaspur, Chhattisgarh.

---- Respondent

AND

MCRC No. 9533 of 2018

- Rahul Singh S/o Prakash Singh Aged About 32 Years R/o Gokuldharm Ghuru, Police Station Sakri, District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Police Station Bilha, District Bilaspur Chhattisgarh

---- Respondent

AND

MCRC No. 9571 of 2018

- Monu @ Satendra Vastrakar S/o Surendra Vastrakar Aged About 36 Years R/o Village- Ameri, Police Station- Sakri, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Takhatpur, District- Bilaspur, Chhattisgarh.

---- Respondent

AND

MCRC No. 9642 of 2018

- Monu @ Satyendra Vastrakar S/o Surendra Vastrakar Aged About 36 Years R/o Village Ameri, Police Station Sakri, District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Bilaspur District Bilaspur Chhattisgarh.

---- Respondent

AND

MCRC No. 9619 of 2018

- Monu @ Satendra S/o Surendra Vastrkar Aged About 30 Years R/o Village Ghuru Tehsil Takhatpur ,district Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer ,police Station Sarkanda District Bilaspur Chhattisgarh.

---- Respondent

For Applicant (in MCRC 8874/2018) : Mr. VK Pandey, Advocate
For Applicant (in MCRC 9008/2018) : Mr. VK Pandey, Advocate
For Applicant (in MCRC 9010/2018) : Mr. VK Pandey, Advocate
For Applicant (in MCRC 9533/2018) : Mr. Anand Shukla, Advocate
For Applicant (in MCRC 9571/2018) : Mr. Anand Shukla, Advocate
For Applicant (in MCRC 9642/2018) : Mr. Anand Shukla, Advocate
For Applicant (in MCRC 9619/2018) : Mr. Anand Shukla, Advocate
For Respondent/State : Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

03/01/2019

1. All the above cases are being disposed of by this common order.
2. Applicants have filed these applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with crime no. 175/2018 (in MCRC No. 8874/2018, MCRC No. 9533/2018 & MCRC No. 9642/2018) registered at Police Station-Bilha, Distt. Bilaspur (C.G.) for the offence punishable under Sections 379, 411 & 34 of the IPC, crime no. 239/2018 (in MCRC No. 9008/2018 & 9619/2018) registered at Police Station Masturi, Distt. Bilaspur for the offence punishable under Sections 379 & 34 of the IPC, crime no. 176/2018 (in MCRC No. 9010/2018 & 9571/2018) registered at Police Station-Takhatpur, Distt. Bilaspur for the offence punishable under Sections 379, 411 & 34 of the IPC. Applicant Parmeshwar Sahu (in MCRC No. 8874/2018, MCRC No. 9008/2018 & MCRC No. 9010/2018) is in custody since 14.07.2018, Applicant Rahul Singh (in MCRC No. 9533/2018) is in custody since 15.07.2018 & Applicant Monu @ Satendra Vastrakar (in MCRC No. 9571/2018, MCRC No. 9642/2018 & MCRC No. 9619/2018) is in custody since 14.07.2018.

3. As per prosecution story, it is alleged that Applicants along with other co-accused persons namely Sanjay Sao, Sato Yadav and Deepak Yadav have stolen Tanker bearing Registration No. CG 10 A 1727 owned by Rakesh along with 12,000 litres of kerosene oil, Tanker bearing Registration No. CG 10 A 5552 owned by Ashish along with 12,000 litres of kerosene oil and Tanker bearing Registration No. 10 ZB 1606 owned by Mohammad Naved along with 12,000 litres of kerosene oil from Bilha, Takhatpur and Masturi. Reports were made by complainant Rakesh, Ashish and Mohammad Naved in concerned police station. On the basis of said reports offence has been registered against unknown persons. During course of investigation from Applicant Parmeshwar Sahu Rs. 10,000/-, mobile phone and one car have been seized, from Applicant Rahul Singh Rs. 70,000/- and one mobile phone have been seized and from Applicant Monu @ Satendra Vastrakar Rs. 10,000/- and one mobile phone have been seized and they have been arrested.
4. Learned Counsel for the Applicants submit that all the Applicants are innocent and have been falsely implicated in the present case. He further submits that other co-accused persons namely Sanjay Sao, Sato Yadav and Deepak Yadav have already granted benefit of bail by this Court vide order dated 27.10.2018, Applicant Parmeshwar Sahu (in MCRC No. 8874/2018, MCRC No. 9008/2018 & MCRC No. 9010/2018) is in custody since 14.07.2018, Applicant Rahul Singh (in MCRC No. 9533/2018) is in custody since 15.07.2018 & Applicant Monu @ Satendra Vastrakar (in MCRC No. 9571/2018, MCRC No. 9642/2018 & MCRC No. 9619/2018) is in custody since 14.07.2018, charge-sheet has already been filed and trial will likely to take some

time to conclude, therefore, the applicants may be released on bail.

5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, particularly considering the fact that the other co-accused persons have already granted benefit of bail by this Court, the applicants are in custody since 14/07/2018 & 15/07/2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
8. Accordingly, the bail applications are allowed.
9. 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 local solvent surety for the like sum to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge