

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 241 of 2020

1. Anil Kumar Sahu & Ors. S/o Shri Mantram Sahu Aged About 22 Years R/o Village Jhalpha, P. S. Hirri, District Bilaspur Chhattisgarh
2. Pradeepa Kumar Sahu S/o Shri Ashok Kumar Sahu Aged About 24 Years R/o Bilha P. S. Bilha, District Bilaspur Chhattisgarh
3. Ghanshyam Sahu S/o Shri Parmeshwar Sahu Aged About 36 Years R/o Village Jhalpha, P. S. Hirri, District Bilaspur Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dharsiwan, Civil And Revenue District Raipur Chhattisgarh

---- Respondent

MCRC No. 382 of 2020

- Aaftab Ansari S/o Shri Jakir Hussain Aged About 23 Years R/o Village - Champa, P.S. - Meral, District - Gadhwah (Jharkhand)

---- Applicant

Versus

- State Of Chhattisgarh Through - Station House Officer, Police Station-Dharsiwan, Civil And Revenue District - Raipur Chhattisgarh

---- Respondent

For Applicants	: Shri Sunil Sahu, Advocates
For Respondent/State	: Shri Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

24/02/2020

As both these M.Cr.Cs. arise out of the same crime number, they are being disposed of by this common order.

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 601/2019 registered at police station Dharsiwan, District Raipur (CG) for the offence punishable under Sections 407 and 120-B IPC.

As per prosecution case, report was lodged by the complainant alleging that the applicants who are the truck drivers have loaded the coal of low quality on the way from colliery Korba to Gopal Sponge and Power Private Limited, Phase -2, Siltara. It is alleged that the applicants were instructed by the owners of the truck.

Counsels for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He submits that the applicants are in jail since 11.12.2019; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsels for the parties, considered the totality of the fact, 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 in the sum of Rs. 50,000/- each with one surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail. However, it is made clear that the applicant in M.Cr.C. No. 382/2020 is directed to furnish a personal bond in the sum of Rs. 50,000/- with one local surety to the satisfaction of the concerned court for his release on bail.

Sd/-
(Rajani Dubey)
Judge