

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7774 of 2019

1. Ram Dular & Anr. S/o Late Pransai Aged About 50 Years Caste - Panika, R/o Village Harratikra, Police Station Jainagar, Tehsil And District Surajpur Chhattisgarh.
2. Chandram S/o Harinandan Aged About 28 Years Caste - Panika, R/o Village Kandai, Police Station Jainagar, Tehsil And District Surajpur Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Surajpur, District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Respondent

MCRC No. 413 of 2020

1. Jagdev & Ors. S/o Paradeshi Kujur, Aged About 50 Years Caste - Uraon, R/o Village Kurwa, Police Station Surajpur, Tahsil And District Surajpur Chhattisgarh.
2. Chatradhari Yadav S/o Moharlal Yadav Aged About 36 Years R/o Village Baroundhi, Police Station- Bhatgaon, District Surajpur Chhattisgarh.
3. Sukhram Rajwade S/o Purushottam Rajwade Aged About 28 Years R/o Village Kurwa, Police Station - Surajpur, Tahsil And District - Surajpur Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Surajpur, District - Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Respondent

For Applicants	: Shri Jitendra Shrivastava and Shri Pawan Kesarwani, Advocates
For Respondent/State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board By

21/01/2020

As both these applications arise out of 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.418/2019 registered at police station Surajpur, District Surajpur (CG) for the offence punishable under Sections 420, 467, 468 and 471/34 IPC.

As per prosecution case, the applicants who are the truck drivers who were transporting the coal loaded from the coal mines of SECL to Nayanpur, MP instead of Raigarh and they were possessing forged documents provided by the owners of the truck.

Counsels for the applicants submits that the applicants have been falsely implicated in the crime. It is submitted that the main allegations are against Jawaharlal and Rakesh Gupta. It is submitted that the applicants are in jail since 04.11.2019; the charge sheet has been filed and looking to the conduct of the prosecution, it is clear that the trial will take time for its conclusion and therefore they may be released on bail.

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

Having heard counsel 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.25,000/- each with one surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge