

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3215 of 2020

- Gorelal Jangde S/o Sonsai Jangde Aged About 50 Years R/o Village Mudhipar, Post Office Sirri Tah. Bilha, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O., P.S. Civil Line, Bilaspur, District- Bilaspur, Chhattisgarh.,

---- Respondent

MCRC No. 3878 of 2020

- Jhanendra Mahilange S/o Late Mahilange Aged About 48 Years R/o Village Durug, Police Station Sarsiva, District Balodabazar Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Civil Line, District Bilaspur Chhattisgarh.

---- Respondent

MCRC No. 4002 of 2020

- Mahendra Banjare S/o Amardas Banjare Aged About 47 Years R/o Ward No. 18, Village Garra, Dilwapara Bemetara, Police Station And District Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Civil Line, District Bilaspur, Chhattisgarh

---- Respondent

For Applicants : Shri Abhishek Sinha and Shri Rakesh
Pandey, Advocates
For Respondent/State : Shri Vikram Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/08/2020

As all the three 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. 110/2020 registered at police station Civil Lines, District Bilaspur (CG) for the offence punishable under Section 420/34 IPC.

Case of the prosecution in brief is that report was lodged by the complainant alleging that the applicants allured him to purchase a land situated in Uttar Pradesh and thereby cheated him of Rs. 43 lacs.

Counsels for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. It is submitted that the applicants are in jail since 19.02.2020; 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 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. 1,00,000/- each with one surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

It is made clear that if the applicants' have already been released on bail pursuant to the bail bonds already furnishing in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re: Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (C) No. 1/2020), they need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks' from today.

Sd/-
(Rajani Dubey)
Judge