

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7141 of 2019

- Nilesh Verma S/o Tejram Verma Aged About 24 Years R/o Village Giroud, P. S. Dharsinva, Raipur District (Revenue And Civil) Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P. S. Dharsinva, Raipur District (Revenue And Civil) Raipur Chhattisgarh

---- Respondent

MCRC No. 7585 of 2019

- Parmeshwar Sagarwanshi S/o Shri Ramadhari Sagarwanshi Aged About 35 Years R/o Village - Giround , Dharsiva, District Raipur Chhattisgarh...(In Jail)

---- Applicant

Versus

- State Of Chhattisgarh Through - S.H.O. Police Station Dharsiva District Raipur Chhattisgarh...(Non Applicant)

---- Respondent

For Applicants	: Shri Yogesh Pandey and Shri Pushkar Sinha, Advocates
For Respondent/State	: Shri Vinod Tekam, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/01/2020

As both 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. 419/2019 registered at police station Dharsinva, district Raipur (CG) for the offence punishable under Section 394/34 IPC.

As per case of the prosecution, complaint was lodged by the complainant alleging that on the date of incident when he was engaged in construction of boundary wall on the Nazul land, the applicants demanded Rs. 2,00,000/- from him and when he refused to pay the same, applicants looted his gold chain.

Counsel for the applicants submits that the applicants have been falsely implicated in the crime. It is further submitted that nothing has been seized from their possession; the applicants are in jail since 24.08.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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. 50,000/- each with one surety 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