

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Order Sheet****Proceedings through Video Conferencing****Misc. Criminal Case No.1286 of 2021**

- Luyash Sahu S/o Shri K. K. Sahu Aged About 25 Years R/o Kota, Near Sahu Aata Chakki, Raipur, Distt. Raipur (Chhattisgarh),

---- Applicant**Versus**

- State Of Chhattisgarh Through - P.S. - D.D. Nagar, Raipur Distt. Raipur (Chhattisgarh)

---- Respondent**MCRC No. 1703 of 2021**

- Chetan Sahu S/o Shri Dukalu Ram Sahu Aged About 48 Years R/o Singharbhata Kendri Police Station Abhanpur Tehsil Abhanpur District Raipur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer Police Station D.D. Nagar Raipur District Raipur Chhattisgarh

---- Respondent

 For Applicant in MCrC No.1286/21 : Shri Jitendra Shukla,
 Advocate
 For Applicant in MCrC No.1703/21 : Shri Goutam Khetrapal,
 Advocate
 For respondent/State : Shri Sameer Oraon, Govt. Advocate

Hon'ble Shri Justice NK Chandravanshi**Order On Board****12.5.2021.**

1. Since both the aforesaid bail applications arise out of same crime number, they are heard analogously and are being disposed of by this common order.

2. These are first bail applications filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested on 16.12.2020 (Luyash Sahu) and 24.12.2020 (Chetan Sahu) in connection with Crime No.495/2020 registered at Police Station D.D. Nagar, Raiur Distt. Raipur (C.G.), for the offence punishable under Sections 420, 467, & 468 read with Section 34 of the Indian Penal Code.

3. Case of the prosecution, in brief, is that, accused Krishna Kumar Sahu along with present applicants opened an office in a rented house at Changorabhatha Raipur in the name of Bharatiya Railway Maal Godam Sharmik Sangh and fraudulently obtained Rs. 2 lakhs from complainant Kamlesh Sahu on the false promise of providing employment in the Indian Railways.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. Names of the applicants are not mentioned in the FIR and they have been arrested only on the basis of memorandum of main accused Krishna Kumar Sahu. The applicants are in jail since December 2020, charge sheet has already been filed, therefore, they may be enlarged on bail.

5. On the contrary, learned State counsel opposes the applications for grant of bail.

6. Looking to the facts and circumstances of the case, nature and gravity of offence, period of detention and also considering the fact that the trial will take some more time for its conclusion,

and as per submission of applicants' counsel charge sheet has been filed, without further commenting on merits of the case, I am inclined to release the applicants on bail.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs. 25,000/- with one local surety each in the like amount to the satisfaction of the concerned trial Court. They shall appear before the trial court regularly on each and every date as per direction of the court, unless exempted from appearance.

8. In view of the above, IA No.01/2021 for urgent hearing and IA No.02/2021 for hearing the case during summer vacation filed in MCrC No.1703/2021 stand disposed of.

Certified copy as per rules.

Sd/-

(NK Chandravanshi)
VACATION JUDGE