

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3021 of 2021**

1. Rahul Parmar S/o Kishan Parmar, Aged About 23 Years, R/o Mayapuri Phase III Near Gurudwara New Delhi, South Delhi.

**----Applicant**

**Versus**

1. State Of Chhattisgarh, Through, S.H.O. Gol Bazar, District Raipur (C.G.).

**---- Non-Applicant**

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| For Applicant           | : | Mr. B.P. Singh, Advocate.            |
| For Non-Applicant/State | : | Mr. Anand Verma, Dy. Govt. Advocate. |

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**MCRC No. 3949 of 2021**

1. Gopal Solanki @ Kunal Solanki S/o Veer Singh, Aged About 24 Years, R/o Som Bazaar Road, Near Radaar Park, Lithoni - C/o Somdatt's House, Block Number 285, P.S. Nihal Vihar, District Bahaari, Delhi, Khushal Park, Loni Dehar, Gajiyabaad Uttar Pradesh.

**----Applicant**

**Versus**

1. State Of Chhattisgarh, Through S.H.O. Golbazar Raipur, District Raipur (C.G.).

**---- Non-Applicant**

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| For Applicant           | : | Mr. B.P. Singh, Advocate.            |
| For Non-Applicant/State | : | Mr. Anand Verma, Dy. Govt. Advocate. |

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**Hon'ble Justice Shri Gautam Chourdiya**  
**Order On Board**

**08/07/2021**

- 1) The matter is heard through Video Conferencing.
- 2) Since both the applications arise out of the same crime number, they are being disposed of by this common order.

- 3) Applicants have filed these First Bail Application under Section 439 of Code of Criminal Procedure, 1973 for grant of bail as applicants are in jail since 07/02/2021 in connection with Crime No. 08/2021, registered at Police Station Golbazar Raipur, District Raipur (C.G.) for the offence under Sections 420, 34 of Indian Penal Code.
- 4) Allegation against the applicants is that they fraudulently obtained, golden chain, 2 rings, bangles studded with diamond worth **Rs. 5 Lakh**, cash of Rs. 5,000/- from the complainant. On report being lodged to the above effect, the aforesaid offences have been registered against the applicants.
- 5) Learned counsel for the applicants submit that the applicants are innocent persons and have been falsely implicated in this case by the complainant Premlata Agrawal. The applicants are in jail since 07/02/2021, charge sheet has been filed and due to Covid-19 Pandemic conclusion of trial is likely to take some time for its disposal. Therefore, the applicants deserve to be released on bail.
- 6) On the other hand, learned counsel for the respondent/State opposes the bail applications.
- 7) Heard learned counsel for the parties.
- 8) Considering the facts and circumstances of the case, the detention period of the applicants, charge sheet has been filed, offence is triable by Magistrate and the fact that applicant has no criminal antecedents and there is no apprehension of the applicants tampering with the evidence or absconding as admitted by both the counsel and that conclusion of trial may take some time due to COVID-19 Pandemic, the applications are **allowed**. It is directed that in the event of **each** of the applicants executing a personal **bond** for a sum of **Rs. 2,00,000/-** with two sureties of Rs. 1,00,000/- each to the satisfaction of the concerned Trial Court, they shall be released on bail on the following conditions:-
  - i. they shall not directly or indirectly make any inducement,

threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,

- ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial,
- iii. they shall strictly follow the COVID-19 protocol issued by the Central Govt./State Govt./Local Authority,
- iv. they shall not involve themselves in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicants involving themselves in similar offence in future.

**-Sd/-**  
**(Gautam Chourdiya)**  
**Judge**

Chandrakant