

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No.4266 of 2021

1. Anup Bhusakare S/o Puranik Bhusakare Aged About 36 Years
R/o. Jayanti Nagar, Ward No. 16, Street No. 05 (BJP
Developers), Near Masjid, Police Station Mohan Nagar,
District Durg (Chhattisgarh)

---- Applicant

Versus

1. State Of Chhattisgarh Through The Station House Officer,
Police Of Police Station Pulgaon, District Durg, Chhattisgarh

---- Respondent

MCRC No. 4535 of 2021

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---- Respondent

For Applicant : Shri Jitendra Gupta, Advocate

For Respondent /State : Shri Vivek Ranjan Tiwari, Addl. Adv. Gen.
with Shri Vikram Sharma, Dy. Govt. Adv.

(Proceedings through Video Conferencing)

Order On BoardByPrashant Kumar Mishra, Ag. CJ12-08-2021

1. Since both the bail applications are filed by the same applicant, they are being considered and decided by this common order.

MCrC No.4266 of 2021 :

2. The applicant has preferred this bail application under Section 439 of CrPC, as he is arrested in connection with ***Crime No.56/2021***, registered at Police Station Pulgaon, District Durg (CG), for the offence punishable under Sections 393 & 398 of the Indian Penal Code and Sections 25 & 27 of the Arms Act.

MCrC No.4535 of 2021 :

3. The applicant has preferred this bail application under Section 439 of CrPC, as he is arrested in connection with ***Crime No.57/2021***, registered at Police Station Pulgaon, District Durg (CG), for the offence punishable under Sections 392 & 398 of the Indian Penal Code and Sections 25 & 27 of the Arms Act.
4. In these two cases the applicant has allegedly committed loot of mobile and some cash amount on point of knife.
5. Learned counsel for the applicant would submit that both the incidents have happened at the same time and at the same place, but the concerned police has registered two separate offence showing different dates of incident and different places of occurrence.

6. Learned counsel appearing for the State, *per contra*, would oppose the bail applications. He would submit that the applicant has committed two separate offences on two successive dates, therefore, he appears to be a habitual offender.
7. Considering the entire facts situation of the case; as also the fact that the applicant is in jail since 29-1-2021 i.e. for more than six months; and the charge sheet has already been filed, I am of the opinion that present is a fit case to release the applicant on regular bail.
8. Accordingly, both the bail applications are allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
9. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Gowri