

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7154 of 2021

- Pramit Mukherjee S/o Vivekanand Mukherjee Aged About 26 Years R/o Village Ghoragada, P. O. Ghadhri, Bokaro, Jharkhand Pin Code 828134 Jharkhand Hall Mukam Nagpur, Address Hall Mukam Nagpur Ramdas Peth, Nagpur 21 Central Bazar Road, Nagpur Maharastra

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dharsiva, Raipur Chhattisgarh

---- Respondent

MCRC No. 7159 of 2021

1. Lokeshwar Verma S/o Bahalram Verma Aged About 30 Years R/o Village Patharidih, Thana Palari, District Baloda Bazar Bhatapara Chhattisgarh
2. Dhaneshwar Prasad Kurre S/o Gokul Prasad Kurre Aged About 30 Years R/o Village Kota, Dabri, Thana Champa, District Janjgir Champa Chhattisgarh

---- Applicants

Versus

- The State Of Chhattisgarh Through Police Station Dharsiva District Raipur Chhattisgarh

---- Respondent

MCRC No. 7204 of 2021

- Baharan Roy S/o Late Chandar Deo, Aged About 35 Years R/o

Labour Colony, Dharsiwa, Raipur (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dharsiwa, Raipur, District Raipur Chhattisgarh

---- Respondent

MCRC No. 7473 of 2021

- Ajit Kumar Tandon S/o Laxman Das Tandon Aged About 24 Years R/o Village Tivraiyya, P. S. And Tahsil Dharsiwa, District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dharsiwa, District Raipur Chhattisgarh

---- Respondent

MCRC No. 7551 of 2021

- Shamsheer Ansari S/o Shri Mohd. Shamim Aged About 35 Years R/o Village Birgaon, Gaji Nagar, P.S. Birgaon, Raipur, Tahsil And District- Raipur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Dharsiwa, District- Raipur (C.G.),

---- Respondent

MCRC No. 7810 of 2021

- Yogesh Kumar Sahu S/o Late Thakur Ram Sahu Aged About 28

Years R/o- Ward No. 5, Nandi Chowk, Dharsiwa, Police Station -
Dharsiwa, Tahsil And District - Raipur (Chhattisgarh),

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer,
Police Station - Dharsiwa, District - Raipur (Chhattisgarh),

---- Respondent

MCRC No. 8142 of 2021

- Rajkumar Manhar S/o Santram Manhar, Aged About 40 Years
R/o Village Bhuigaon, Post - Kharkhod, P.S. -Pamgarh, District -
Janjgir - Champa Presently Residing At S.K.S Company, Family
Colony, Raiupur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through-Station In-Charge, P.S.
Dharsiwa, District-Raipur Chhattisgarh.

---- Respondent

MCRC No. 7553 of 2021

- Santosh Patel S/o Shri Dileshwar Patel, Aged About 25 Years R/o
Village Lotnapara, Hardi Bazar District Korba Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through P.S. Dharsiwa, District Raipur
Chhattisgarh

---- Respondent

For Applicants : Shri Neeraj Choubey, Shri Samir
Singh, Shri Sandeep Yadav, Shri Rekhraj Baghel, Shri Shivendu
Pandya, Shri Anmol Sharma and Shri Pragalbha Sharma, Advocates.
For Respondent/State : Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

25/10/2021

As all the above 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. 422/2021 registered at police station Dharsiwa, district Raipur(CG) for the offence punishable under Sections 147,149,186,332,353,427,435,448 and 34 IPC and Section 3 of the Prevention of Damage to Public Property Act,1984.

As per case of the prosecution, on 19.08.2021, employees of SKS Company, Siltara were on strike on account of some dispute with regard to salary. During that time, at about 12.15 some miscreants tried to enter inside the campus of the SKS company as a result of which there was stone pelting on the police force and caused damage to the public property. It is alleged that in the said incident, some of the police personnels sustained injuries

Counsel for the applicants submits that the applicants have been falsely implicated in the crime. It is further submitted that the offences alleged against the applicants are triable by the Magistrate; 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. It is also submitted that the applicants are in jail since 06.12.2019.

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. 25,000/- each with one surety (applicant in M.Cr.C. No. 7154/2021 is a resident of Maharashtra and therefore he shall furnish local 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