

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7340 of 2021**

Harpal Singh S/o Indrpal Bhardwaj Aged About 30 Years R/o Village
Korba Bhaawar Ratanpur, P. S. Ratanpur District Bilaspur CG

---- Applicant

Versus

State of Chhattisgarh through the Station House Officer, Police of
Police Station Ratanpur, District Bilaspur, CG

---- Non-applicant

AND**MCRC No. 7378 of 2021**

Aman Koshle S/o Chandrahas Koshle Aged About 19 Years R/o Village
Singhari, Police Station Ratanpur, District Bilaspur, Chhattisgarh.

Versus

State of Chhattisgarh through the Station House Officer, Police of
Police Station Ratanpur, District Bilaspur, CG

For applicants	Mr. Vivek Agrawal, Adv.
For non-applicant/State	Mr. Amit Verma and Ms. Anjali Singi Chouhan, PL.

Hon'ble Shri Justice N.K. Chandravanshi**Order on Board****26-11-2021**

1. Since both the above bail applications arise out of the same crime number of same police station, they are being heard together and disposed of by this common order.
2. As per applicants, these are first bail applications under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no bail application is pending before any other court.
3. The applicants have been arrested in connection with Crime No. 83/2021 registered in police station Ratanpur, Distt. Bilaspur, (CG) for offence punishable under Section 457, 511, 34 of the IPC.
4. Brief facts of the case are that in the intervening night of 15th and 16th of February, 2021, some unknown persons had tried to break the lock, door and grill of the State Bank of India, branch Ratanpur. On the next day i.e. 16-2-2021 at about 9.30 am, lock, door and grill of the bank were found in damaged condition. Hence, present crime was registered against unknown persons. During the course of investigation, applicants were caught by the police and based on their

memorandum statements, they were arrested on 12-4-2021 in this case.

5. Learned counsel for the applicants argued that the applicants have been falsely implicated in this case. They have not committed alleged crime. Memorandum statement recorded by the police is totally false. No incriminating material has been seized from the present applicants, which would connect them with commission of crime of present case. He also argued that the applicants are in jail since a long period. Charge sheet has been filed. They are permanent resident of Bilaspur district, hence there is no chance of their absconding. Therefore, they may be enlarged on bail.
6. On the other hand, the State Counsel opposed the bail application and submitted that 12 and 13 cases have been registered against applicants Harpal Singh and Aman Koshle respectively and they are habitual offenders. Hence, their bail applications be rejected.
7. I have heard counsel for both the parties and perused the case diary and the material available on record.
8. Considering the facts and circumstances of the case and material available on record, detention period of the applicants, they are said to be permanent resident of Bilaspur district, charge sheet has been filed, I feel inclined to allow the bail applications. Therefore, the applications are allowed. It is ordered that if each of the applicants furnishes one personal bond of Rs. 25,000/- along with two solvent sureties each of the like sum to the satisfaction of the trial Court concerned for their appearance before the concerned Court as and when directed by the said Court, they be released on bail.

CC as per rules.

Sd/-
(N.K. Chandravanshi)
Judge