

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1726 of 2020**

1. Harjinder Singh Bal S/o. Late Nirmal Singh Bal, Aged about 56 years
2. Jaskaran Singh Bal, S/o. Late Harjinder Singh Bal (Wrongly mentioned as S/o. Late Nirmal Singh Bal) Aged about 28 years
3. Jaskirat Singh Bal, S/o. Harjinder Singh Bal, Aged about 26 years (wrongly mentioned as Jaskiran Singh Bal and S/o. Late Nirmal Singh Bal)

All R/o. Plot No. 8B, Industrial Area Dhamdha Naka, Durg, Tehsil and district Durg CG

---- Applicants

Versus

- State Of Chhattisgarh Through PS Gaurela, District Gaurela, Pendra, Marwahi CG

---- Respondent

For Applicants	: Shri Priyank Rathi, Advocate
For Respondent/State	: Shri Vimlesh Bajpai, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board by Virtual Hearing

08/06/2021

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No. 221/2020 registered at Police Station Gaurela, District Gaurela, Pendra Marwahi (CG) for the offence punishable under Sections 420,465,463,470,471 and 464 IPC.

Case of the prosecution in brief is that during checking of the bus bearing No. CG 07 E 3060 at check post, it was found that the bus was operated with a permit of some other bus number. It is alleged that the applicants are the owner of the said bus.

Contention of the counsel for the applicants is that the applicants have been falsely implicated in the present case. He further submits that the FIR has been lodged with a delay of 6 days and there is no explanation for the said delay. He submits that in the present circumstances of the pandemic Covid-19, the investigation will take time and therefore they may be granted bail.

On the other hand, learned counsel for the State opposes the bail application.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegation against the applicants, this Court is of the view that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicants' in connection with the aforesaid offence, they shall be released on bail on their executing a personal bond in sum of Rs. 50,000/- with one surety each to the satisfaction of the concerned arresting/investigating officer or the court concerned, as the case may be, with the following terms and conditions:

- (i) that the applicants shall make himself available for interrogation/ medical examination before the concerned investigating officer

as and when required;

- (ii) that the applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade them from disclosing such facts to the Court or to any police officer;
- (iii) that the applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

(Rajani Dubey)
Judge