

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7833 of 2020**

- Bharat Bhai Patni S/o Mangaldas Patni Aged About 55 Years
R/o Mansa P.S. Mansa Dist.- Gandhinagar (Gujrat)

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Singhora, Dist.
Mahasamund.

---- Respondent

MCRCA No. 48 of 2021

- Patel Jayesh Kumar S/o Prahlad Bhai Patel Aged About 40
Years R/o 6 Lati Plot, Main Bazar, K.K. Patel Travels, Morbi,
District Morbi (Gujrat).

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer,
Police Station Singhoda, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant in MCRC No.7833/2020 :- Mr. Rakesh Pandey, Adv
For Applicant in MCRCA No.48/2021 :- None
For Respondent-State :- Mr. Anmol Sharma, PL

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

28/01/2021

Since both the bail applications are arising out of same crime number, they are being heard and decided by this common order.

Applicant – Bharat Bhai Patni in MCRC No.7833/2020 has applied for regular bail whereas, applicant Patel Jayesh Kumar in MCRCA No.48/2021 has applied for anticipatory bail.

MCRC No.7833 of 2020

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.86/2020, registered at Police Station Singhora, Dist- Mahasamund C.G. for the offences punishable under Sections 420, 467, 468, 471, 34 of the I.P.C.
2. At the relevant time, Bharat Bhai Patni was the driver of bus bearing Registration Number GJ 36 T 3620 traveling from Morbi, Gujrat to Ganjam, Odisha. When the bus was passing through transport check-post Khamharpali, P.S. Singhora, the papers available with the driver were verified and it was found that the special permit issued for the subject bus is a forged permit.
3. Learned State counsel would oppose the prayer for grant of

bail.

4. Considering that the permit was handed over to applicant – Bharat Bhai Patni, driver, by his owner applicant Patel Jayesh Kumar and he could not have prepared the forged permit and also for the fact that he is in jail since 19.10.2020, I am inclined to release him on regular bail.
5. Accordingly, the **MCRC No.7833/2020 is allowed** and the applicant **Bharat Bhai Patni** is directed to be released on bail on executing a personal bond for a sum of Rs.50,000/- with one surety for 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.

MCRCA No.48 of 2021

1. Even after the matter was called in the second round, none appeared for the applicant, therefore, in these circumstances, this Court has no other option but to dismiss the bail application for want of prosecution.
2. Accordingly, the bail application is dismissed for want of prosecution.

SD/-

(Prashant Kumar Mishra)

Judge

Ayushi