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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7600 of 2017**

Shobha Ram Pandey S/o Budhram Pandey, Aged About 35 Years R/o Village Sukli, Post Office And Police Station Dharambandha, District Naupada Odisha, Orissa.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Police Station Piperchedi, District Gariyaband Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 7909 Of 2017**

Domar Singh Nagesh S/o Late Ram Singh, Aged About 33 Years R/o Village Limdih, Post Office And Police Station Piperchedi, District Gariyaband Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through The Station House Police Station Piperchedi, District Gariyaband Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 585 Of 2018**

Sahdev Markam, S/o Tulsiram Markam, Aged About 35 Years R/o Village Dantbaykala, Police Station Piperchedi, District- Gariyaband, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through The Station House Police Station Piperchedi, District Gariyaband Chhattisgarh.

---- Respondent

For the Applicants : Shri Shivendu Pandya, Advocate.
For the Respondent/State : Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****31.01.2018**

1. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.11 of 2017, registered at Police Station – Piperchedi, District – Gariyaband, Chhattisgarh for the offence punishable under Section 286 of the Indian Penal Code and Sections 3, 4 and 5 of the Explosive Substances Act, 1908.

2. Learned counsel for the applicants submit that the applicants in M.Cr.C. Nos. 7600 of 2017 and 7909 of 2017 are in jail since 2.6.2017 and the applicant in M.Cr.C. No. 585 of 2018 is in jail since 23.6.2017, they have been falsely implicated in these cases. The co-accused person in these cases has been granted bail by the Co-ordinate Bench of this Court in M.Cr.C. No. 5723 of 2017 dated 24.11.2017 and the applicants also have a similar case. Hence, it is prayed that the applicants in all these cases be benefited with grant of bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that there is sufficient evidence against the applicants for prosecution of the offences registered against them. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

4. Heard counsel for both the parties and perused the case diary.

5. The case is that all the applicants and the co-accused used explosive substance for fishing in the Paity river. Villagers objected to the manner in which the applicant and others were fishing. On a complaint made, the case was investigated and the charge-sheet has been filed against these applicants and one another.

6. Considering the submissions and the contents of the case-diary and after overall consideration, I am of the considered opinion that the applicants deserves to be released on bail.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in all the cases shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge