

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3051 OF 2015**

Bhimsai Sidar, S/o Udainath Sidar Aged About 35 years, Occupation Driver
Cast Gond R/o Vill. & Post Khardodhi, P.S. & Tehsil Pathalgaon, Revenue &
Civil District Jashpur (C.G.)

---Applicant

Versus

State of Chhattisgarh, through, Station House Officer, Dharamjaigarh,
Revenue & Civil District Jashpur (C.G.)

---Non-applicant

For Applicant	:	Mr. Surfaraj Khan, Advocate
For Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****02/07/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 123/2015, registered at Police Station Dharamjaigarh, District Raigarh (C.G.), for the offence punishable under Section 379 of the I.P.C. and Section 4(1) (21) of the Mines & Minerals (Development & Regulation) Act, 1957.

2. Case of the prosecution, in brief, is that applicant and other co-accused persons have transported stolen 15 Tones of Quartz Stone valued at Rs. 75,000/- and thereby committed offence.

3. Learned counsel for the applicant would submit that present applicant is only driver of the vehicle and owner of the vehicle authorized him to transport the same. He would further submit that applicant is in jail since

09/05/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. Taking into consideration the nature and gravity of offence; and material collected by the prosecution, this Court is not inclined to release the applicant on regular bail.

6. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected. However, trial Court is directed to expedite the trial and decide the case as early as possible.

7. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari