

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3560 of 2015**

- Khagesh Satnmai @ Khageshwar Kaliya, Son of late Motichand, aged about 35 years, resident of Imliduggu, Korba, Tahsil and District Korba (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station – Urga, District – Korba(C.G.)

---- Non-Applicant

For Applicant:	Shri Basant Dewangan, Advocate.
For Respondent/State:	Shri Qamrul Aziz, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****27/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 16/2015 registered at Police Station Urga, Distt- Korba for the offence under Section 379 of the Indian Penal Code & 41(1-4) of the Code of Criminal Procedure.

(2) Case of the prosecution, in brief, is that applicant is alleged to have stolen one tonne coal amounting to Rs.10,000/- from the SECL and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the offence in question as he has not committed

any offence. He further submits that applicant is in jail since 16.12.2014; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

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

(5) Taking into consideration the facts & circumstances of the case, further considering the facts that applicant is in jail since 16.12.2014 and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

