

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3569 of 2015**

Aman Sharma, S/o Shri Rajendra Sharma, aged about 24 years, R/o Near Railway Station, Ward No.7, Akaltara, Thana-Akaltara, Civil and Revenue Distt. Janjgir-Champa, Distt. Janjgir Champa (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through: Police Station -G.R.P., Bhilai-3, Durg, Distt. Durg (C.G.)

---- Non-applicant

For Applicant:	Mr. Sanjay Agrawal, Advocate.
For Respondent/State:	Mr. Neeraj Jain, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****28/07/2015**

Heard.

(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.46/2015 registered at Police Station G.R.P., Bhilai-3, Durg, for the offences punishable under Sections 407, 420 & 411/34 of the Indian Penal Code.

(2) Case of the prosecution is that the applicant obtained stolen diesel i.e. 3,000 liters from driver of the Tanker that was required to be delivered at village – Pathalgaon and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that only charge under Section 411 IPC has been framed against the applicant; and there is delay of two months in lodging the FIR as the incident had occurred on 18.02.2015 whereas FIR has been lodged on 9.4.2015; applicant is in custody since 15.05.2015; and case is triable by the Judicial Magistrate First Class; trial is likely to take some more time 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; considering the facts that only charge for the offence under Section 411 IPC has been framed against the applicant, which is punishable with imprisonment of three years or fine or both; applicant is in jail since 15.05.2015; 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/-

