

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6225 of 2015

Sanjay Kumar Jayaswal S/o Late Shri Devi Prasad Jayaswal Aged
About 37 Years R/o Purani Basti Korba, P.S. & Tehsil & Distt. Korba
Chhattisgarh

---- Applicant

Versus

The State Of Chhattisgarh Through Station House Officer Of Police
Station Urga, Korba District Korba Chhattisgarh

---- Respondent

For applicant - Shri Shailendra Dubey, Advocate.
For Respondent/State – Shri U.K.S. Chandel, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

8/12/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 269/2015 registered in Police Station Urga, Korba District Korba (C.G.) for offence punishable under section 413, 457, 380 of Indian Penal Code.
2. As per the prosecution case in the intervening night of 5/10/2015 one Harinarayan Tiwari stolen main power supply cable of Induction heating machine and organ torch cable total worth Rs.3,65,000/- and part of it was purchased by this applicant Sanjay Kumar Jayaswal, thereby offence has been committed.
3. Learned counsel for the applicant submits that applicant is a person who deals in scrap business and in such dealing he purchased the material from different persons and it was not known to him that certain goods were stolen. He further submits that unless and until it is established that goods were continuously received by the applicant being

stolen property, the offence under Section 413 of IPC cannot be made out. He submits that applicant has been falsely implicated in this case, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the facts of the case and the allegation against this applicant that he has purchased certain stolen goods from the other co-accused and also considering the gravity of the offence and the fact that charge sheet has been filed, applicant is in jail since 8/10/2015, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE