

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6092 of 2015

1. Mahendra Mahant, S/o. Khikdas Mahant, aged about 32 years, R/o. Bhagawanpur Near Durga Tempal Raigarh Tah. & District Raigarh (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Station – Kotararoad, District Raigarh (C.G.)

---- Respondent

For Applicant	: Mr. Vineet Kumar Pandey, Advocate
For Respondent/State	: Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/11/2015

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.157/2015, registered at Police Station – Kotararoad, District Raigarh (C.G.) for the offence punishable under Section 407/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant and one other co-accused have allegedly misappropriated the sponge iron which was loaded in Malwa Sponge Iron plant to be delivered in Jindal Steel Pvt. Ltd. and thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any crime and he has been falsely implicated in this case. He would further submit that similarly placed co-accused has been enlarged on bail by the Co-ordinate Bench of this Court in

M.Cr.C. No.3204/2015 vide order dated 08.07.2015. Therefore, he prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, do not dispute the fact that similarly placed co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the nature of the gravity of the offence and the fact that similarly placed co-accused has been released on bail, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his 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 his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge