

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6651 of 2015

1. Narendra @ Nandu Sahu, S/o. Johanlal Sahu, aged about 30 years, R/o. Ward No.12, Tendulotha Bagbahra, P.S. & Tahsil – Bagbahra, Civil and Revenue District – Mahasamund (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station – Bagbahra, District – Mahasamund (Chhattisgarh)

---- Respondent

For Applicant	:	Ms. Indira Tripathi, Advocate
For Respondent/State	:	Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/12/2015

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.127/2015, registered at Police Station – Bagbahra, District – Mahasamund (C.G.) for the offence punishable under Section 3/7 of Essential Commodities Act and Section 420, 465, 468, 471 of I.P.C.
2. Case of the prosecution, in brief, is that the applicant was working in the Agrawal Oil Agency embezzled kerosene oil with the help of main accused Rupesh Goyal, which was meant for public distribution system by the State government, therefore, the case was registered and on enquiry, it was found that the stock register interpolated.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. She would further submit that other co-accused, Rupesh Goyal, who is the owner of the shop has

been enlarged on bail by this Court in M.Cr.C.No.6525/2015 vide order dated 01.12.2015 and the case of the applicant is similar to that of the co-accused, Rupesh Goyal, therefore, the counsel 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. Having regard to the fact that similarly placed co-accused has been enlarged on bail by this Court in M.Cr.C.No.6525/2015, vide order dated 01.12.2015, 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