

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.3204 of 2015

Alkama Sivil, S/o Late Shri Samim Ansari, aged about 20 years, R/o Village Sakarva, Thana Asthva, Distt. Nalanda (Bihar), Present Add. Urdana, Thana & Tahsil Raigarh, Civil and Revenue Distt. Raigarh (CG) (In order wrongly mentioned Shivni)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Kotararoad, Distt. Raigarh (CG)

---- Non-applicant

For Applicant:	Mr. Kaushal Dewangan, Advocate.
For Non-applicant:	Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/07/2015

1. Heard.
2. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.157/2015 registered at Police Station Kotararoad, Distt. Raigarh, for the offence punishable under Section 407 read with Section 34 of the IPC.
3. Case of the prosecution, in brief, is that the applicant and one 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.
4. Learned counsel for the applicant submits that the goods were not unloaded at any other place and still is with the truck. The applicant is in jail since 1-6-2015.
5. On the other hand, learned State counsel opposes the application and

submits that the sponge iron rods were not unloaded at appropriate place and were taken elsewhere.

6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, pre-trial detention of the applicant and role of the applicant, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge