

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5845 of 2015

1. Raghubar S/o Devcharan Dhanuvar Aged About 25 Years R/o Village Bankheta Lakhmipara, P.S. Katghora, Distt. Korba Chhattisgarh
2. Ramesh S/o Sewaram Dhanuvar Aged About 25 Years R/o Village Bankheta Lakhmipara, P.S. Katghora, Distt. Korba Chhattisgarh
3. Pital Singh S/o Amar Singh Kanwar Aged About 40 Years R/o Village Bankheta Lakhmipara, P.S. Katghora, Distt. Korba Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The Police Station Katghora, Distt. Korba Chhattisgarh

---- Respondent

For applicant - Shri Ravindra Agrawal, Advocate.
For Respondent/State – Shri Ashok Swarnkar, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

4/11/2015

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 148/2015 registered in Police Station Katghora, Distt. Korba (C.G.) for offence punishable under section 379, 34 of IPC and Sections 3, 5 of the Prevention of Damage to Public Property Act, 1984.
2. As per the prosecution case report was made by Site Incharge of Kalptaru Power Transmission Limited, Katghora that erection of transmission tower of electricity was being carried out on 31/05/2015 it was found that aluminium wire from tower No.177A/0 to 178 A/0 quantified

about 16 quintals was stolen by some unknown thieves. Thereafter, during investigation aluminium wire were recovered from the possession of the applicants and after investigation charge sheet has been filed.

3. Learned counsel for the applicants submits that applicants are in jail since 1/06/2015 and they have been falsely implicated in this case and since it was not possible to take away 16 quintals of aluminium wire. He further submits that even otherwise recovery has already been made, therefore applicants may be released on bail.

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

5. Having regard to the fact that seizure has already been made and applicants are in jail since 1/06/2015 and also taking into account nature of the offence and the fact that charge sheet has been filed, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them 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 their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE