

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6456 of 2015

Abhay Singh S/o Dani Singh Aged About 30 Years, Occupation - Business, R/o Fatahamuda, Priyadarshi Nagar, Raigarh, District - Raigarh (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through : The Station House Office, Police Station Gharghoda, District - Raigarh (Chhattisgarh).

---- Respondent

MCRC No. 6588 of 2015

Vikram Dewangan S/o Amritlal Dewangan Aged About 21 Years Occupation-Driver, R/o Village-Kosanpali, Police Station - Kotra Road, Tah. & Civil & Revenue District - Raigarh (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Gharghoda, District - Raigarh (Chhattisgarh)

---- Respondent

And

MCRC No. 6614 of 2015

Niranjan Singh S/o Shivdani Singh Aged About 29 Years R/o Fathamuda, Priydarshani Nagar Raigarh, P.S. - Kotwali, Civil & Revenue Distt. Raigarh Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station - Gharghoda, Civil & Revenue Distt. Raigarh Chhattisgarh

---- Respondent

For applicants - Shri Awadh Tripathi, Shri Sunil Sahu and Shri Purnendra Khichariya, Advocates.
For Respondent/State – Shri Vinod Tekam, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/12/2015

1. All these bail applications are decided together as they are arising out the same crime number.

2. The applicants have preferred these applications for grant of bail as they are arrested in connection with Crime No.186/2015 registered in Police Station Gharghoda, District Raigarh (C.G.) for offence punishable under section 379/34 of the Indian Penal Code.

3. As per the prosecution case on 8/07/2015 a report was lodged by complainant Tapan Mandal Manager of T.R.N. Power Plant Project that some cable wire were stolen from the plant. The applicants who were unloading the cable wire were caught hold of and were asked to produce the documents but it was not produced. Subsequently, it was found that report was lodged. Subsequently, after investigation charge sheet has been filed.

4. Learned counsels for the applicants submits that applicants have been falsely implicated in this case and there is no evidence is available against the applicants. It is further submitted that cable wire has not been identified and applicants Abhay Singh and Niranjana Singh have been inculpated only on the presumption whereas no evidence is available against Vikram who was said to be driver of the vehicle from which cable were unloaded. He further submits that charge sheet has been filed and applicants are in jail since 8/07/2015, therefore the applicants may be released on bail.

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

6. Having regard to the facts and circumstances of the case, further taking into consideration the nature and gravity of the offence, charge sheet has been filed and alleged evidence has already been collected, taking into account pre-trial detention of the applicants they are in jail since 8/07/2015, this court is inclined to release the applicants on bail.

7. Accordingly, the bail applications are 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