

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2905 of 2015**

Satnaam, S/o- Avtar Singh Saini, aged about 53 years, R/o Janta 1538 Virsawarkar nagar, Hirapur Raipur, Distt. Raipur (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh, Through Dist. Magistrate, Janjgir, Distt. Janjgir-Champa (C.G.)

---- Non-applicant

For Applicant: Shri Ishwar Jaiswal, Advocate.
For Non-Applicant Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****06/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.153/2015 registered at Police Station – Baradwar, Distt. Janjgir-Champa (C.G.) for the offences punishable under Section 407 & 411 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is said to have committed criminal breach of trust by selling 14.870 metric tonne pick iron on 31.5.2015 while transporting pick iron in the Truck bearing registration No.CG-04-G-6127 and, thereby, committed the aforesaid offence.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the crime in question as he has not committed any offence and he is only driver of the said Truck. He further submits that applicant is in jail from 31.05.2015; charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; looking to the nature & gravity of the offence; further considering the fact the applicant is in jail since 31.05.2015; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is

directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)

Judge

D/-