

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC NO. 4256 of 2015**

Sanjay Kumar Agrawal, S/o Sridhwaas Agrawal, aged about 45 years, R/o main Road, Darri, Police Station Darri, District Korba (CG)

---Applicant

Versus

State of Chhattisgarh through : Police Station Janjgir, District Janjgir Champa (CG)

---Non-applicant

For Applicant	:	Mr. Sumit Singh, Advocate
For Non-applicant	:	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

24/08/2015

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.695/2014, registered at Police Station-Janjgir, District Janjgir-Champa (C.G.), for the offence punishable under Sections 420, 467, 468 and 471 of the IPC.

2. Case of the prosecution, in brief, is that present applicant is alleged to have issued certificate with regard to pollution and necessary certificate and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question as he, being the RTO Agent, only deposited on-line challan on behalf of co-accused Santosh Sahu and, thereafter, Santosh Sahu was required to produce the vehicle in question before the District Transport Authority, Janjgir-Champa for getting the fitness certificate issued by the District Transport Authority and the fitness

certificate was issued by District Transport Authority on 20.11.2014. He further submits that co-accused Vinay Kumar Agrawal has already been released on bail by this Court vide order dated 18.8.2015 and case of the present applicant is similar to that of the co-accused who has already been released on bail and therefore, he may also be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence and Santosh Sahu, owner of the vehicle, has already been granted bail, the applicant is in jail since 30.7.2015, role of the present applicant and his pre-trial detention, this Court is of the opinion that present is the 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 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/-
(Sanjay K. Agrawal)
JUDGE

B/-