

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6116 of 2015

Dashrath Bhai, son of Hemabhai Patel, aged about 42 years, R/o
Mahidharpura, Dhobiseri, District Surat (Gujrat) (C.G).

Applicant

Versus

State of Chhattisgarh through the Police Station Tarbahar, Bilaspur,
District Bilaspur

--- **Non-applicant**

For the applicant	:	Mrs. Fouzia Mirza, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 123/2015 registered at P.S. Tarbahar, District Bilaspur (C.G) for the offence punishable under Sections 379 & 414 IPC.
2. As per the prosecution case, on 30.05.2015 the complainant Vipin Pamnani has withdrawn Rs.4,00,000/- from Axis Bank and out of 4,00,000/-, he kept Rs.3,50,000/- in the dickey of Activa No.C.G.CG10FA8844 it in his car dickky and the said amount was stolen. During police patrolling by the Crime Branch, the police at Raipur caught hold of 9 persons and after interrogation it came to their notice that the present applicant is a partner of a courier agency and the amounts are being transferred through his courier service.
3. Learned counsel for the applicant submits that only the allegation against this applicant is that he is partner of courier agency which was being used to send the money to Gujrat and nothing more than is alleged against this applicant. It is further submitted that in similar nature of another crime, the co-ordinate Bench of this Court has granted bail to the applicant in M.Cr.C.No.5386 of 2015 disposed on

14.10.2015. therefore, it is prayed that the applicant be released on bail in this case.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Considering the gravity of offence and the allegation against this applicant that he is said to be a partner of courier company which is being used to transfer the money through courier and the other co-accused being partner is also involved to operate the courier service in transferring the amounts and looking to the period of detention of the applicant, I am inclined to allow this application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court on each and every date as may be given by the said court.
7. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao