

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No. 6902 of 2015

Shyamsunder Gupta, son of Bhagwan Sao, aged about 42 years,
R/o Village Ramsagarpara, Korba, District Korba (C.G).

.... Appellant

Vs.

State of Chhattisgarh through Station House Officer, P.S. Balco
Nagar, District Korba (C.G).

... Respondent

For the applicant	:	Mr. Ansul R. Shrivastava, Advocate
For the Respondent	:	Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2015

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. 221/2015 registered at P.S. Balco Nagar, District Korba (C.G) for the offence punishable under Section 379 & 34 of IPC.
2. Case of prosecution, in brief, is that co-accused Rambabu was carrying Aluminum in an Auto and subsequently when the auto was intercepted, the aluminum was recovered and it was discovered that they have stolen the Aluminum worth Rs.10,000/- from the plant of BALCO.
3. Learned counsel for the applicant submits that he has been falsely implicated and the charge sheet in this case has been filed. He further submits that similarly placed co-accused has been enlarged on bail in M.Cr.C.No.6536/2015 on 01.12.2015 and being in parity with the case of other co-accused, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application. However, after verification he do not dispute the fact about the grant of bail to the similarly placed co-accused.
5. Taking into fact that similarly placed co-accused has been granted bail by this Court in M.Cr.C.No.6536/2015 vide order dated 1.12.2015 as also the fact that the charge sheet has been filed in this case and the applicant is in jail since 03.09.2015, I am inclined to release this applicant on bail. Accordingly, this application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE