

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5022 of 2015**

Satvinder Singh, S/o Pragatsingh Sikh (Sarkar), aged about 30 years,
Occup.-Truck Owner, R/o-Near Airtel Office, Ring Road No.1, Telibandha,
Raipur, Civil and Revenue Distt.-Raipur, Distt.Raipur (CG)

---Applicant**Versus**

State of Chhattisgarh, Through: P.S. Kotra Road, Raigarh, Distt.Raigarh
(CG)

---Non-applicant

For Applicant	:	Mr. Sanjay Agrawal, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Deputy Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/09/2015**

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.225/2014, registered at Police Station-Kotra Road, District-Raigarh (CG), for the offence punishable under Section 407 of the IPC.

2. Case of the prosecution, in brief, is that the applicant being owner of the truck bearing registration number C.G.07 MB 1184 loaded iron rods to be taken from Raigarh to Bellari (Karnataka) on 8.7.2014, but misappropriated the iron rods and did not deliver the same to required destination at Bellari (Karnataka) and thereby misappropriated Rs.11,72,306/-.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. In fact, the truck in question along with goods was taken by driver Ajay Singh and goods did not reach to its destination and driver & truck worth of Rs.25,00,000/-

are still missing. The applicant also suffered loss of Rs.25,00,000/- and has been detained in custody since 28.6.2015 and charge-sheet has already been filed. He would also submit that the applicant has also lodged report against driver as he absconded with truck and goods.

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; taking note of the fact that the applicant is owner of the truck and his driver is absconding along with truck material loaded on it and considering the pre-trial detention of the applicant, this Court is of the opinion that present is a 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 the applicant shall be released on bail on his 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/-