

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1629 of 2016

Manmohan Lahre, S/o Melaram Lahre, aged about 21 years, R/o Village Bhudu Para, P.S. Pathalgaon, Civil and Rev. Distt. Jashpur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Chhattisgarh State Power Distribution Company Ltd., Sitapur, P.S. Lundra, Distt. Surguja (C.G.)

---- Non-applicant

For Applicant:	Mr. Vinod Kumar Tekam, Advocate.
For Non-applicant/State:	Mr. Om P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

17/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.158/2015 registered at Police Station Lundra, Distt. Surguja, for the offence punishable under Sections 379, 411 read with Section 34 of the IPC; Sections 136, 137, 140 of the Electricity Act; and Sections 3, 2(a) of the Prevention of Damage to Public Property Act, 1984.
2. Case of the prosecution, in brief, is that the applicant is said to have purchased the stolen copper wire owned by the Electricity Board and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in all the aforesaid cases. The applicant is in jail since 23-9-2015. At the most, offence under Section 411 of the IPC for purchasing stolen property is made out against the applicant and he had already suffered jail

sentence for five months. Charge-sheet has been filed and co-accused Manoj Agrawal has been granted bail by a coordinate Bench of this Court in M.Cr.C.No.7292/2015 by order dated 4-1-2016. Another co-accused Kartik Ram has also been granted bail by this Court by order dated 10-3-2016 passed in M.Cr.C.No.1045/2016 and thirty-three connected cases.

4. On the other hand, learned State counsel opposes the bail applications.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, stolen property has already been recovered from the possession of the applicant, he is in jail since 23-9-2015 and co-accused Manoj Agrawal & Kartik Ram have already been released on bail, I am of the opinion that the applicant deserves to be released on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that applicant Manmohan Lahre 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge