

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3196 of 2016

1. Nansu S/o Bukan Ram Aged About 24 Years R/o Vikani, P.S. Pratappur, Distt. Surajpur Chhattisgarh Note :- Name of the Applicant No. 1 Has Wrongly Been Mentioned In the Cause Title of the rejection order as 'Ghansu'
2. Shivkumar S/o Dhanau Aged About 20 Years R/o Anrokha, P.S. Bhatgaon, Distt. Surajpur Chhattisgarh.
3. Rohit Singh S/o Dhalsai Aged About 23 Years R/o Sukhdevpur, P.S. Pratappur, Distt. Surajpur Chhattisgarh. ... **Petitioners**

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Rajpur, Distt. Balrampur - Ramanujganj Chhattisgarh
... **Respondent**

For the applicant	:	Mr. Jitendra Shrivastava, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.50/2016 registered at P.S. Rajpur, Distt. Balrampur Ramanujganj (C.G) for the offence punishable under Sections 407/34 IPC (as per challan).
2. As per the prosecution case, the incident happened between 22.1.2016 to 13.02.2016. The applicants who were drivers of different trucks loaded the coal from Mahan-2 mines and the coal was to reach Bhatgaon siding coal washery but instead the material was unloaded in Khokania forest, thereby the offence is committed.
3. Learned counsel for the applicants submits that because of internal rivalry the incident happened and the applicants

have not sold the coal to any one and the coal has been recovered at the instance of Bansilal and Somar Sai. He further submits that the charge sheet in this case has been filed and the applicants are in jail since 16.03.2016, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Taking into the nature of offence, the degree of allegations and the role played by the applicants as also the fact that charge sheet in this case has been filed and the applicants are in jail since 16.03.2016, I am inclined to release the applicants on bail.
7. Accordingly the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE