

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3905 of 2016

Ayodhya Prasad Sonwani, S/o Shri Ram Bharos, Aged About 28
Years, R/o. Village - Parsapara, Tehsil - Ramanujnagar, P.S. -
Surajpur, Revenue & Civil District - Surajpur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through, Station House Officer Surajpur,
(Police Out Post - Basdae), Revenue & Civil District - Surajpur
Chhattisgarh

---- Respondent

For applicant - Shri Surfaraj Khan, Advocate.
For Respondent/State – Shri Neeraj Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.110/2016 registered in Police Station Surajpur (Police Out post-Basdae), District Surajpur (C.G.) for offence punishable under sections 407, 420, 467, 468, 471, 120-B, 109, 37 of Indian Penal Code.
2. As per the prosecution case, paddy were to be collected from different paddy centres and they were to reach Surajpur. Subsequently, on a different point of time 400 bags of paddy weighing 160 quintal each were collected on a truck bearing No.C.G.15A-8757 from Umapur, Sonpur and Patrapali and instead of sending it to the destination of Surajpur it was sold to one Ramcharan. The said truck bearing No.C.G.15A-8757 was infact was number of another truck which was standstill and forged number was used along with forged name of the driver and paddy of worth total about Rs.7,50,000/- was sold at the cost of Rs.5 lakhs.
3. Learned counsel for the applicant submits that the applicant was

not involved in this case and at some intervening stage when truck was being driven by one driver Bajilal, he was not available and therefore in the intermediate period services of Ayodhya Prasad was availed as a driver and only for once he has worked as a driver, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Memorandum statement and further recovery of the goods of one of the accused Sukhsai Rajvade would show when trucks were being taken out and being unloaded at times other driver refused to drive the vehicle, as such in the intervening period services of this applicant was taken to get the truck moved up till the house of Ramcharan. Considering the role played by this applicant, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE