

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4070 of 2016

Arvind Gupta, S/o. Rohit Gupta, aged about 24 years, Caste-Kolta, R/o. Village-Semijor, Police Station : Tamnar, Tahsil – Gharghoda, District – Raigarh (C.G)

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station – Lailunga, District – Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Ashish Gupta, Advocate

For Respondent : Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.124/2016, registered at Police Station- Lailunga, District Raigarh (C.G.) for the offence punishable under Section 379, 34, 201 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 06.02.2016 one trolley of the tractor bearing No.C.G-13-L/4935 was stolen by other co-accused persons Shankar, Tikeshwar and Lokesh. Thereafter, the applicant helped them to hide the stolen trolley in order to further make it sale. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that only allegation against the applicant is under Section 201 of I.P.C. for making disappearance of the evidence and the main allegation of theft has been attributed to the co-accused Shankar, Tikeshwar and Lokesh.. It is further submitted that the applicant is in jail since 08.06.2016,

therefore, the counsel prays that the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that only allegation against the applicant is under Section 201 of I.P.C.
5. I have heard learned counsel appearing on behalf of the parties.
6. Considering the facts and circumstances of the case, the nature of allegation leveled against the applicant and the fact that the applicant is in jail since 08.06.2016, 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 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.

Sd/-
(Goutam Bhaduri)
Judge