

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7288 of 2015

Manoj Agrawal, S/o. Santlal Agrawal, Aged About 42 Years, R/o. Kevda Badi Bus Stand Raod, Raigarh, P.S. City Kotwali, Raigarh, Distt. Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Chhattisgarh State Power Distribution Company Ltd. Sitapur, Distt. Surguja, Chhattisgarh.

---- Respondent

For Applicant : Mr. Mateen Siddiqui, Advocate

For Respondent : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/01/2016

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. 239/2014 registered at Police Station- Sitapur, District Sarguja (C.G.) for the offence punishable under Sections 379, 411, 34 of Indian Penal Code, Sections 136, 137, 146 of Electricity Act, 2003 and Section 3(2)(A) of the Prevention of Damage to Public Property Act, 1984.
2. As per the prosecution case, in brief, on 18.10.2014 a report was made that the Transformer near Govt Middle School Bamlaya, Sadakpara, Sitapur which was in operation was disconnected and the coil inside it was stolen away by the other co-accused and subsequently on the memorandum of the co-accused, it was informed that the said coil and copper was purchased by this applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as the applicant is running a Utensil Shop and in normal routine he has purchased the goods. He further submits that the charge sheet has been filed and the applicant is in jail since 23.09.2015, therefore, he may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the seizure has already been made and the charge sheet has been filed and taking into consideration the allegation against the applicant is predominantly for purchase of stolen property and he is in jail since 23.09.2015, I am inclined to release the applicant on 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 furnishing a personal bond for a 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/-
(Goutam Bhaduri)
Judge