

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1920 of 2016

Krishna Kumar Kosle, S/o. Badri Prasad Kosle, Aged About 35 Years,
R/o. Village- Bhatapara, Police Station- Bhatapara (Rural), District
(Revenue & Civil) - Balodabazar – Bhatapara, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station - Gidhauri (mentioned in
charge-sheet), District (Revenue & Civil) Balodabazar – Bhatapara,
Chhattisgarh

---- Respondent

For Applicant : Mr. Anand Kesharwani, Advocate

For Respondent : Mr. Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.06.2016

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.85/2015 registered at Police Station- Gidhauri (wrongly mentioned as Sarsiwani in order-sheet), District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 379, 407, 420, 120-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 24.02.2015, the applicant being the Driver of the vehicle bearing No.CG 04 JA 6359 represented himself as Raju collected 240 Quintal of Paddy from Tundari and instead taking it to Baktara, Mandir-Hasaud sold it in connivance with Ravishankar and therefore the offence was registered after investigation.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he has not committed any offence, actually the offence has been committed by Ravishankar, the other accused; therefore, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the fact that the charge sheet has been filed and no further investigation is necessary as all the evidence have been collected and the applicant is in jail since 11.07.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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