

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.864 of 2016

Ramkumar Sahu, S/o Maheshram Sahu, aged about 28 years, Occupation Labour, R/o Village Barpali, Police Station Pusaur, District Raigarh (C.G.)
 ---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Bhupdevpur, District Raigarh (C.G.)
 ---- Non-applicant

For Applicant:	Mr. Manish Upadhyay, Advocate.
For Non-applicant:	Mr. Neeraj Kumar Sharma, Deputy G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

28/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.173/2015, registered at Police Station Bhupdevpur, Distt. Raigarh, for the offence punishable under Sections 407, 379, 414, 411, 120B read with Section 34 of the IPC; Sections 4(1) and 21 of the Mines and Minerals (Development and Regulation) Act, 1957.
2. Case of the prosecution, in brief, is that the applicant is said to have purchased the stolen property and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case, charges have been framed in which offence punishable under Sections 411 and 414 of the IPC have been framed against the applicant and in which punishment of only three years jail sentence is prescribed. The applicant is in jail since 25-9-2015. Co-accused

Deepak Agrawal has been granted bail by a coordinate Bench of this Court by order dated 10-2-2016 passed in M.Cr.C.No.549/2016.

There is no allegation of theft against the present applicant.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, pretrial detention of the applicant for last six months and charge-sheet has been filed, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge