

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3113 of 2016

- Bablu Kewat S/O Omprakash Kewat Aged About 28 Years R/O Nearby Railway Crossing, Jhagrakhand, Police Station Jhagrakhand, Tahsil Manendragarh, District Korea, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Manendragarh, District Korea, Chhattisgarh.

---- Respondent

For Applicants : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.06.2016

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 on 08-01-2016 in connection with Crime No. 391 of 2014 registered at Police Station Manendragarh, District Korea (CG) for the offence punishable under Sections 420, 380, 467, 468, 471 read with Section 34 of IPC.
2. As per prosecution case, on 3-11-2014 the applicant while transporting wood from Janakpur to Ramanjganj in a vehicle bearing registration No. CG 16-A-2065, was intercepted and on being asked, transit pass was produced which was subsequently found to be a forged transit pass and thereafter the offence was registered against the applicant.
3. Learned counsel appearing for the applicant would submits that the applicant was only a driver of the vehicle and he performed his duties as per instructions given by the owner of the vehicle and he did not know the fact whether the transit pass was fake or not. He would further submit that the transit pass was stolen by one Indrapal Verma and he has been enlarged on bail vide order dated 10-03-2016 passed by co-ordinate Bench of this Court in M.Cr.C.No. 1194 of 2016. He further submits that the charge-

sheet has been filed in the case and the applicant is jail since 8-1-2016 and no further investigation is necessary, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard the counsel appearing for the parties and perused the case diary and documents.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, the role of the applicant, charge-sheet has been filed and the applicant is in jail since 8-1-2016, I am inclined to release applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that 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 trial Court. He shall appear before the trial court as and when directed by the said Court.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju