

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3839 of 2016

Ramcharan S/o Makulal, Aged About 30 Years, By Caste Rajwar,
R/o Village Agastpur, P.S. Surajpur, Tahsil Ramanujnagar, District
Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police
Station Ramanujnagar, District Surajpur, Chhattisgarh.

---- Respondent

For applicant - Shri D.N. Prajapati, Advocate.
For Respondent/State – Shri Neeraj Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.54/2016 registered in Police Station Ramanujnagar, District Surajpur (C.G.) for offence punishable under sections 407, 420, 467, 468, 471, 120-B, 109, 34 (wrongly mentioned as 37) of Indian Penal Code.
2. As per the prosecution case, paddy were to be collected from different paddy centres and they were to reach Surajpur. Subsequently, on a different point of time 400 bags of paddy weighing 160 quintal each were collected on a truck bearing No.C.G.15A-8757 from Umapur, Sonpur and Patrapali and instead of sending it to the destination of Surajpur it was sold to one Ramcharan. The said truck bearing No.C.G.15A-8757 was infact was number of another truck which was standstill and forged number was used along with forged name of the driver and paddy of worth total about Rs.7,50,000/- was sold at the cost of Rs.5 lakhs.
3. Learned counsel for the applicant submits that applicant

Ramcharan was purchaser and Ayodhya Prasad Sonwani was driver of the truck and the other co-accused were also involved in commission of crime. Learned counsel for the applicant would submit that Ramcharan had purchased the goods for valuable consideration of Rs.5 lakhs and the applicant was not involved in the crime as otherwise he has only purchased the goods for Rs.5 lakhs. It is submitted that he being bonafide purchaser, case is not made out against him and charge sheet has been filed, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the documents and the statement. According to the case diary Ramcharan had purchased the goods for valuable consideration of Rs.5 lakhs which was worth around Rs.7,50,000/-. Considering the facts and circumstances of the case, also taking into role played by the applicant and degree of allegation against this applicant, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE