

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4263 of 2016

- Surendra Jogi @ Ram @ Rama Kumar S/O Panchu Kumar Jogi Aged About 22 Years Caste Satnami, R/O Santmata Karma, Bhatapara, Post Office, Police Station & Tahsil Bhatapara, District Balodabazar Bhatapara, Chhattisgarh.

---- Applicant (In jail)

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Shivendu Pandya, Advocate
For Respondent/State : Shri Neeraj Jain, GA

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.08.2016

- 1) This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.150 of 2015, registered at PS Bilaigarh, district- Balodabazar, (CG) for the offences punishable under Sections 379, 407, 420 and 120(B) of the IPC and 3/7 of Essential Commodities Act.
- 2) Case of the prosecution, in brief, is that present applicant loaded 240 quintals of paddy in a truck bearing No.CG-04 DC 5595 for delivery of the same at Jainda Rajim Distribution Centre. Instead thereof, he delivered the said paddy at some other place by changing the registration number of the truck, thereby committed the offence.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, charge-sheet has

been filed and no further investigation is required and he is in jail since 12.07.2015, therefore, he may be released on bail.

- 4) Per contra, learned State Counsel opposes the prayer for grant of regular bail to the applicant.
- 5) Heard learned counsel for the parties and perused the record.
- 6) Having regard to the facts and circumstances of the case, particularly taking into consideration the period of detention of the applicant, offence is triable by the JMFC and charge-sheet in this case has been filed, this Court is inclined to release the applicant on bail.
- 7) Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
JUDGE