

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4413 of 2016

Pappu Prasad Yadav, S/o. Budhan Prasad Yadav, Aged About 42 Years,
Caste Satnami, R/o. Ratanpura, Post Office & Police Station Shahpur,
District Aara, Bhojpur (Bihar). Present R/o. Pappu Dhaba, Village Bemta,
Post Office & Police Station Tilda-Nevra, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station
Nevra, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09.08.2016

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.134/2016 registered at Police Station- Nevra, Distt. Raipur (C.G.) for the offence punishable under Section 407, 420, 120(B) of Indian Penal Code.
2. As per the prosecution case, the applicant alongwith other accused used to take away the furnace oil from the tanker and sale it and it was found that the applicant with the help of other co-accused has stolen 17000 liters of furnace oil of Rs.2,71,000/- and used to sell the same.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and neither the memorandum nor any seizure has been affected and only he used

to run Dhaba nearby the place of incident, therefore, he may be released 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 facts and circumstances, nature of offence and degree of allegation and further taking into fact that the charge sheet has been filed and the applicant is in jail since 13.05.2016, 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