

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5391 of 2016

Ritesh Kumar Yadav, S/o. Shri Chandashekhar, Aged About 19 Years,
R/o. Village Saraiya, Police Station Saraiya, District Bhojpur, Bihar. At
Present R/o. Village Bemta, Gaya Bihar Dhaba, Police Station Nevra,
District Raipur, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant : Mr. P.P.Sahu, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.09.2016

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- Tilda Nevra, Distt. Raipur (C.G.) for the offence punishable under Section 407, 420, 120-B & 34 of Indian Penal Code.
2. As per the prosecution case, the applicant along-with other accused used to obtain furnace oil at the low rate and committed theft of it with the help of the other co-accused and thereby has stolen 17000 liters of furnace oil worth Rs.2,71,000/-.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and no any seizure has been affected. He further submits that the other similarly placed accused Umesh Sao has been enlarged on bail by this Court on

17.08.2016 in MCRC No.4641 of 2016, therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the similarly placed accused namely Umesh Sao has been released on bail by this Court.
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 similarly placed accused has been enlarged on bail, I am inclined to release the present 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