

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5556 of 2016

Shayam Lal Jangde, S/o. Bhaskar Prasad Jangde, Aged About 35 Years,
R/o. Pipar Sakti, P.S. - Akaltara, Distt. Janjgir – Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station -
Balco Nagar, Distt. Korba, Chhattisgarh.

---- Respondent

For Applicants : Mr. Awadh Tripathi, Advocate

For Respondent : Ms. Shobha Kashyap, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22.09.2016

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.132/2014 registered at Police Station- Balco Nagar, District Korba (C.G.) for the offence punishable under Section 420, 471 read with Section 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 14.04.2014 a Truck bearing No. C.G.-04-JB-9996 loaded coal from Deepika and reached to Balco and when one Truck was loaded coal inside, another Truck came with same number as such the report was made and after investigation, it was found that same number is using in two Trucks, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the incident is of 2014 and the similarly placed co-accused has been released on bail by this Court in M.C.R.C. No.5207 of 2016 on 16.09.2016 and the case of the present applicant is similar to that case, therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, she do not dispute the fact that the similarly placed co-accused has been released on bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the fact that the similarly placed co-accused has been enlarged on bail by this Court in M.Cr.C. No. 5207 of 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