

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6296 of 2016

Niranjan Agrawal, S/o. Shri Prahlad Ram Agrawal, Aged About 28 Years,
R/o. Village- Masniakala, Police Station Sakti, Tahsil- Sakti, Revenue &
Civil District- Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Urga, District Korba,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Sandeep Dubey, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17.10.2016

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.173/2016 registered at Police Station- Urga, District Korba (C.G.) for the offence punishable under Section 411, 457 & 380/ 34 of Indian Penal Code.
2. As per the prosecution case, a report was made by one Janki Bai that theft took place in the Rasan shop, which was conducted by the Cooperative Societies and 46 bags of rice was stolen along with sugar in between 7/8-8-2016. Subsequently, on investigation having been made, it was found that the other co-accused namely Fanendra Kumar and others have committed theft in the shop and thereafter had sold the rice to the present applicant; thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant is a bonafide purchaser of the rice and it was purchased for the sale consideration. He further submits that seizure has been made and no further investigation is necessary, therefore, the applicant 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. Mainly the allegation against the present applicant is that he has purchased the stolen goods. Considering the nature of allegation against the present applicant and the fact that seizure has already been made, 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