

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6239 of 2016

1. Bhek Singh, S/o Late Shri Pardeshi Ram, Aged About 35 Years, R/o Ward No.16, House No.811, Bhatapara Ward, Village Kurud, Police Station- Jamul, District- Durg, Chhattisgarh.
2. Prakash Chakradhari, S/o Shri Puran Chakradhari, Gorelal Yadav, Aged About 39 Years, R/o Pulagaon Nala, Police Station- Durg, District- Durg, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through- Station House Officer Of Police
Station- Mahasamund, District- Mahasamund, Chhattisgarh.

---- Respondent

For applicants - Shri Vinay Pandey, Advocate.
For Respondent/State – Shri Anil. S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/10/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.195/2015 registered in Police Station City Kotwali Mahasamund, District Mahasamund (C.G.) for offence punishable under sections 407, 420, 411, 379, 467, 468, 471, 120-B, 201/34 of IPC.
2. As per the prosecution case, certain furnace oil was purchased by Jindal Steel from HPCL Mandir Hasoud which were to be carried to Raigarh Power Plant. Furnace oil was sent by Umesh Sao owner of Mandal Oil Carrying Company, he was given contract for transportation and one Deepak Pandey was Manager in such Mandal Oil carrying company, instead of carrying entire oil to the Jindal Steel oil were sold to the different purchasers including one Shyam Chemical which was owned by Kamal Chouhan and applicant Bhek Singh was Stock Manager of the vehicle and Prakash Chakradhari was Vehicle Manager who in connivance with other Kamal

Chouhan has made false entries, thereby substituted furnace oil. Thereby, offence is committed.

3. Learned counsel for the applicants submits that applicant No.1 Bhek Singh was Stock Manager of the vehicle and applicant No.2 Prakash Chakradhari was Vehicle Manager and they were only employee of Shyam Chemical owned by Kamal Chouhan, while furnace oil were unloaded stock were maintained by them and they were instrumental in purchase of such oil wherein it was done by Kamal Chouhan, role played by the applicants cannot be stated to be criminal act and they have not misappropriated the oil or committed breach of trust, charge sheet has been filed, therefore the applicants may also be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary, statement and the documents. Perused the memorandum of Deepak Pandey also wherein it shows that applicants were working in Shyam Chemical and they have purchased certain furnace oil. Considering the nature of allegation against the applicants they were working as employee of Shyam Chemical who purchased oil which was appropriated, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy today.

Sd/-

(Goutam Bhaduri)

JUDGE