

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6350 of 2016

1. Maninder Singh @ Monti, S/o. Amarjit Singh, aged about 31 years,
 2. Talvinder @ Banti, S/o. Amarjit Singh, aged about 33 years,
- Both the applicants are resident of Kadambari Nagar, Durga Temple Road, Tahsil and District – Durg, Chhattisgarh.

----Applicants

Versus

1. State of Chhattisgarh, Through : District Magistrate- Durg and also through Police Station – Mohannagar, District – Durg (C.G.)

---- Respondent

For Applicants : Mr. Jitendra Gupta, Advocate

For Respondent/State : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/10/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.37/2016, registered at Police Station – Mohannagar, District – Durg (C.G.) for the offence punishable under Section 406, 420, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicants got a truck financed from Cholamandalam of Rs.7,50,000/-. Subsequently lodged a report of theft of said truck, however, the report of theft was false and the applicant sold the truck to scrap dealer and was trying to get the amount from the insurance company for theft. Subsequently, the matter came to light and the offence was registered.
3. Learned counsel for the applicants submits that the applicants have

been falsely implicated in this case and in fact the truck was stolen and nothing is on record to show that the applicants have sold the truck. It is further submitted that charge-sheet in this case has been filed and the applicants are in jail since 06.09.2016 and no further investigation is required, therefore, the applicants may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary, documents and statement of Sanjay Kumar Sahu. Considering the facts and circumstances of the case, the nature of offence and the degree of allegation levelled against the applicant and taking into the fact that charge-sheet in this case has been filed and the applicant is in jail since 06.09.2016, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge