

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7392 of 2016

- Jalil Shah S/o Shri Jahid Shah Aged About 35 Years R/o Chorbhatti Khurd, Thana Chakarbhata, Civil & Revenue District Bilaspur, Chhattisgarh.
--- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Chakarbhata, Civil & Revenue District Bilaspur, Chhattisgarh.
--- **Respondent**

For the applicant	:	Mr. Sumeet Shrivastava, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 331/2016 registered at P.S. Chakarbhata, Distt. Bilaspur (C.G) for the offence punishable under Section 379/34 of IPC.
2. As per the prosecution case, a report was made by one Sunil Agrawal that he was working as transport contractor and on 01.10.2016 while the truck was transporting 342 bags of rice on the way it met with an accident. Thereafter the villagers have stolen 34 bags of rice from the truck and 4 bags were recovered from the present applicant.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the charge sheet in this case has been filed; no further investigation is necessary and the applicant is in jail since 01.10.2016, therefore, he

may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents.
6. Considering the nature of allegations levelled against the applicant and the facts and circumstances of the case especially the fact that the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 01.10.2016, I am inclined to release the applicant on regular bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**