

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.6336 of 2017

- Akbar Ansari, son of Shri Jalil Ansari, aged about 40 years, R/o. Dharsiwabhata, Police Station Dharsiwa, Raipur (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through the Station House Officer, Police Station Dharsiwa, Distt. Raipur (CG)

---- Respondent

For applicant	: Smt. Alina Begum, wife of the applicant.
For respondent/State	: Shri Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

13.12.2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 18.9.2017 in connection with Crime No.211/2017, registered at Police Station Dharsiwa, Distt. Raipur (CG) for the offence punishable under Sections 381 and 411 of the Indian Penal Code.

2. As per the prosecution story, complainant Pankaj Jain is the Director of Indian Steel and Power Pvt. Ltd. Charoda and some sponge iron were stolen from the said company. Present applicant purchased sponge iron worth Rs.6400/- from one Nishant Trivedi and sold the same to a truck owner for Rs.8500/-.

3. As per the applicant, he has not removed any sponge iron from any place and purchasing and selling of sponge iron per say

is not an offence, hence, no offence under Sections 381 & 411 of the IPC is made out against the applicant.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have perused the case diary.

6. Looking to the fact that the accused/applicant is in jail since 18.9.2017 and offence under Section 381 & 411 IPC is triable by Judicial Magistrate First Class and conclusion of the trial will take sufficient time, it is a fit case to grant bail to the applicant.

7. Accordingly, bail application filed under Section 439 CrPC is hereby allowed.

8. It is directed that the applicant shall be released on bail on furnishing a persons bond for a sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Ram Prasanna Sharma)

JUDGE