

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8610 of 2016

- Jagat Singh S/o Rajaram Rana, Aged About 57 Years Caste Rajput, R/o Gohran, Thana And Tahsil- Shivan, District- Kaithal (Haryana). ---Petitioner

Versus

- State of Chhattisgarh through- District- Magistrate, Janjgir- Champa Chhattisgarh. --- Respondent

For the applicant	:	Mr. Parag Kotecha, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.01.2017

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. Istgasa 1/16 registered at Police Station Hasod, Distt. Janjgir Champa (C.G) for the offence punishable under Section 41(1-4) of Cr.P.C., and Section 379 of IPC.
2. As per the prosecution case, on 06.12.2016 a harvester was seized from the present applicant and on a notice being given, he could not produce necessary documents. Subsequently, it was revealed that the present applicant has stolen the harvester which belonged to Doman Singh of Seoni.
3. Learned counsel for the applicant would submit that the applicant in fact has purchased the said equipment from one Shyam Singh who was Incharge of the vehicle after payment of Rs.1,75,000/- as per annexure A-2 and no report was made by Doman Singh.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of Shyam Singh which shows that the applicant has taken the vehicle on rent at Madhya Pradesh and subsequently it was taken away. Considering such statement and the fact that no report was made by Doman Singh, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on 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 till disposal of the trial.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE