

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 635 of 2017

Nisar Khan S/o Late Nadir Ali @ Mohar Ali Khan, Aged About 41 Years R/o Janjiri, Charaunda, Police Station Purani Bhilai 3, District Durg, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For applicant - Shri Sudhir Kumar Bajpai, Advocate.
For Respondent/State –Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

9/02/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.195/2015 (wrongly mention 195/16 in Bail Rejection order) registered in Police Station Mahasamund, District Mahasamund (C.G.) for offence punishable under sections 420, 407, 379, 411, 467, 468, 471, 120-B, 201, 34 of Indian Penal Code.
2. As per the prosecution case, certain furnace oil were purchased by Jindal Steel from HPCL Mandir Hasoud which were to be carried to Raigarh Power Plant. Furnace oil was being transported by Mandal Power Plant which was owned by Umesh Sao, he was given transportation contract. It is alleged that the applicant who was commission agent for sale of the oil allowed the said oil to be sold to Shyam Chemical which was owned by Kamal Chouhan and thereby in connivance with the other co-accused offence has been committed.
3. Learned counsel for the applicant submits that he is only

commission agent and he had no knowledge about the ownership of the oil. His case is similar to that Deepak Kumar who has been enlarged on bail vide M.Cr.C. No.8669/2016 on 16/01/2017, therefore the applicant may be released on bail.

4. Learned State counsel do not dispute the fact role played by the applicant that he was commission agent and like nature of Deepak Kumar.

5. Considering the facts and circumstances of the case and role played by the applicant, taking into fact that applicant appears to be commission agent for sale of oil and also considering the fact that charge sheet has been filed, this court is inclined to release the applicant on bail.

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

Sd/-

(Goutam Bhaduri)

JUDGE