

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 156 of 2017**

Subba Singh S/o Ramkanwal, aged about 35 years R/o Near House of Rajkumar Sharma Jakir Chowk, New Kursipar, Bhilai, District Durg (CG).

-----Applicant

Versus

State of Chhattisgarh Through Police Station, Urla, Raipur, Distt. Raipur (CG).

---- Respondent

For Applicant	:	Shri CK Sahu, Advocate.
For Respondent	:	Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

08/05/2017

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.4 of 2017 registered at Police Station Urla, Raipur, for the offence punishable under Section 407 IPC.
2. The applicant is that owner of Truck bearing registration No.CG-07-C-5388. The allegation against the applicant is that, the applicant was given consignment of transportation of 34.910 M.Tonne M.S. Channel iron from Laxmi Kripa Ispat Pvt. Ltd., Urla to Rajesh Hardware, Nepal. The said Truck was loaded with the aforesaid consignment and had proceeded to Nepal on 19.08.2015. Thereafter, whereabouts of the Truck or the consignment loaded in the Truck was not known to anybody and it is presumed that the applicant being the owner of Truck is said to have played mischief with the consignment. According to the

applicant, the vehicle also has not yet reached back. Therefore, the applicant cannot be charged for the offence which has not been committed by him. He has no information whatsoever in respect of the Truck or the consignment in the said vehicle.

3. Considering the facts and circumstances of the case, more particularly the fact that the applicant is the owner of the Truck and there is no dispute in respect of loading of M.S. Channel Iron on the said Truck and the Truck proceeded to Rajesh Hardwhare, Nepal, prima facie there appears some participation of the applicant in the commission of said offence and with the nature of participation of the applicant in the said offence as has been reflected from the case diary, this court is of the opinion that no strong case is made out for grant of anticipatory bail to the applicant. Accordingly, the bail application is rejected.

Sd/-
(P. Sam Koshy)
Judge