

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 128 of 2016

- Premlal Ramteke S/o Late P.R. Ramteke Aged About 63 Years R/o Gandhi Nagar Bhilai - 3, Near Durga Mandir, Bhilai - 3, Police Station & Tahsil Bhilai - 3, District Durg Chhattisgarh. --- **Applicant**

Versus

- The State of Chhattisgarh through Police Station City Kotwali Mahasamund, District Mahasamund Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Satish Chandra Verma, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.03.2017

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. 195 of 2015 registered at Police Station City Kotwali Mahasamund, Distt. Mahasamund (C.G) for the offence punishable under Sections 407, 420, 411, 379, 467, 468, 471 120-B of IPC.
2. As per the prosecution case, certain furnace oil of HPCL was to be transported from their depot of Mandir Hasaud. For transportation of such material, contracts were given to different companies. The applicant was owner of the Truck who was also given contract to transport the furnace oil. It is alleged that though the furnace oil was loaded at the Depot of Mandir Hasaud but during transportation it did not reach to the destination and in the mid way, the oil was being sold.
3. Learned counsel for the applicant would submit that omnibus allegations have been levelled against the applicant and he has been falsely implicated in the case. It is also submitted

that there have been some discrepancies of the account and the entire amount of Rs.8,69,298.39 has been paid to Jindal Company by the present applicant who is the owner of Suraj Transport, therefore, no offence is made out.

4. Learned State Counsel was directed to verify the fact that whether the amount of Rs.8,69,298/- has been adjusted or not. On verification, learned State Counsel submits that the entire amount has been paid and adjusted.
5. Considering the nature of allegations levelled against the applicant and the fact that the entire amount is stated to have been paid and also looking to the long pretrial detention of the applicant as he is stated to be in jail since 08.07.2015, 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 for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**