

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8334 of 2016

Mohammad Ashif S/o Mohammad Sharif Aged About 22 Years R/o
Laxmi Para, Infront Of Matan Market, Supela, Police Station-
Supela, District- Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Collector/ District Magistrate
Durg, District- Durg, Chhattisgarh

---- Respondent

For applicant - Shri Raghvendra Pradhan, Advocate.
For Respondent/State – Shri Avinash K. Mishra, PL

Hon'ble Shri Justice Goutam Bhaduri

Order

2/01/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.367/2016 registered in Police Station Pulgaon, District Durg (C.G.) for offence punishable under sections 392, 395, 411 of Indian Penal Code.
2. As per the prosecution case, a report was made by the complainant Shivanand Singh that in the night of 19/07/2016 the applicant alongwith other co-accused persons was taking out diesel from Truck after breaking the lock of the truck and having objected on the point of knife, diesel was taken away worth Rs.15,000/- and the applicant fled away from the spot.
3. Learned counsel for the applicant submits that the evidence collected by the prosecution would show that the applicant was not directly involved in this case and from the applicant, an amount of Rs.1300/- has been recovered. He further submits that similarly placed co-accused has been enlarged on bail by this court on 24/11/2016 vide

M.Cr.C. No.7358 of 2016, therefore the applicant may be enlarged on bail.

4. Learned State counsel do not dispute the fact that similarly placed co-accused has been enlarged on bail by this court on 24/11/2016 vide M.Cr.C. No.7358 of 2016.

5. Considering the facts and circumstances of the case and also for the fact that similarly placed co-accused has been enlarged on bail by this court on 24/11/2016 vide M.Cr.C. No.7358 of 2016, 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