

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8414 of 2016

Purna Chand Naik S/o Shri Sadhu Naik Aged About 31 Years R/o Subhash Nagar, Lal Bagicha, Tehsil- Dhamtari, Police Station City Kotwali, Revenue & Civil District Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, R.P.F, Post-Raipur, Revenue & Civil District Raipur, Chhattisgarh.

---- Respondent

For applicant - Shri Surfaraj Khan, Advocate.
For Respondent/State – Ms. Sunita Jain, PL

Hon'ble Shri Justice Goutam Bhaduri

Order

3/01/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.16/2016 registered in Police Station R.P.F., Post-Raipur, District Raipur (C.G.) for offence punishable under section 3 (A) of the Railway Property (Unlawful Possession) Act, 1966.
2. As per the prosecution case, in the intervening night of 18th & 19th Sept. 2016 the applicant who was clerk alongwith other accused Kishan Nayak and Satish Kumar Gautam who were sweepers in the Railways have misappropriated and taken away Rs.1,76,436/- from the Almirah of Railway office of Dhamtari Station. Subsequently, on investigation it was revealed that the applicant alongwith other accused has committed the offence.
3. Learned counsel for the applicant submits that similarly placed co-accused has been enlarged on bail on 6/12/2016 vide M.Cr.C. No.7363 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 on 6/12/2016 vide M.Cr.C. No.7363 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 on 6/12/2016 vide M.Cr.C. No.7363 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