

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 78 of 2017

Satish Kumar Yadav S/o Matadin Yadav Aged About 39 Years R/o Kaseem Para, Sahara Vihar, House No. A/25, Bilaspur, Police Station- Torwa, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, G.R.P. Thana Dongargarh, District Rajnandgaon, Chhattisgarh.

---- Respondent

For applicant - Shri Basant Kawartya, Advocate.

For Respondent/State –Shri Avinash K. Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/02/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.20/2016 registered in Police Station G.R.P. Thana, Dongargarh (C.G.) for offence punishable under sections 328, 379 of Indian Penal Code.

2. As per the prosecution case, a report was made by one Sanju Vishwas and Subodh that they were travelling in Ahmadabad Express in between 6/09/2015 and 7/09/2015. They had their dinner at Nagpur on 6/09/2015. Thereafter, when they got up they saw themselves in the Chakradhapur hospital and it was found that Rs.2000/-, ATM, mobile they were all missing. Subsequently, on the basis of call detail the applicant was arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and charge sheet has been filed. He submits that there is no evidence to show that the applicant has stolen goods and has administered any drug. As per statement the complainant had after dinner fell unconscious which was not given by the applicant. He

submits that the applicant is suffering with sickling, therefore the applicant may be released on bail.

4. Learned State counsel submits that no previous criminal antecedents are to the credit of the applicant.

5. Perused the statement of the complainants wherein it shows that complainants after consuming food from the pantry car fell unconscious. Subsequently, goods were stolen. Considering the degree of allegation and the fact that charge sheet has been filed, applicant is in jail since 14/09/2016, 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