

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 398 of 2017

- Deepak Kumar Choubey S/o Late Shri Amritlal Chaube Aged About 46 Years R/o House No. 08, Mahalaxmi Enclave Sihawa Road, Dhamtari, Police Station City Kotwali, District Dhamtari, Civil & Revenue District Dhamtari, Chhattisgarh. ---- **Petitioner**

Versus

- State through RPF Post, District Raipur, Chhattisgarh - **Respondent**

For the applicant	:	Mr. Sunil Otwani, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.02.2017

1. This is third 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. 4204/2016 registered at P.S. RPF Post, District Raipur (C.G) for the offence punishable under Sections 143 of the Railways Act.
2. As per the prosecution case, on 27.10.2016 on a raid being conducted at the Railway Station Dhamtari, from the possession of the present applicant certain railway tickets which were not of the present applicant along-with reservation forms were recovered thereby the offence has been registered.
3. Learned counsel for the applicant would submit that this is third bail application and the earlier application was dismissed on 23.11.2016 with liberty to repeat the same after filing of the charge sheet. Subsequently the second bail application was dismissed for want of prosecution vide

order dated 10.01.2017. He further submits that the applicant has been falsely implicated in this case; the charge sheet has been filed and the applicant is in jail since 27.10.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case especially the fact that the charge sheet has been filed and the applicant is in jail since 27.10.2016, 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 his 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. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**