

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 589 of 2018

Shivratan Singh Thakur Rajput S/o Shri Hanuman Singh
Rajput Aged About 40 Years R/o Village Chamari, Police
Station & Tahsil Mungeli At Present Tahsil & District Mungeli
Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through Station House Officer, Police
Station City Kotwali, Mungeli Tahsil And District Mungeli
Chhattisgarh, District : Mungeli, Chhattisgarh --**Respondent**

For the applicant	:	Mr. Anand Shukla, Advocate.
For the Respondent	:	Mr. Suryakant Mishra, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.03.2018

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. 383/2017 registered at Police Station City Kotwali, Mungeli Distt. Mungeli (C.G) for the offences punishable under Sections 409, 34 of IPC and sections 3/7 of the Essential Commodities Act, 1955.
2. As per the prosecution case, the applicant along-with other accused, has misappropriated the money of kerosene oil and did not pay it to the dealer. Consequently the kerosene oil could not be distributed though the amount was deposited in the account of Marketing Federation, thereby he along-with other accused has committed offence.
3. Learned counsel for the applicant submits that the applicant is a salesman and he has not dealt with any financial transactions, therefore, he has been falsely implicated in this

case. He further submits that co-accused Ramsajeevan Thakur has been enlarged on regular bail by this Court by order dated 06.12.2017 passed in M. Cr .C. No. 7064/2017, therefore, the present applicant who is in jail since 26.12.2017 may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application. However, he is not able to dispute the fact that similar placed co-accused has been enlarged on bail.
5. Considering the nature of allegations levelled against the applicant and the fact that similarly placed co-accused has been enlarged on bail by this Court; the applicant is in jail since 26.12.2017 as also the fact that that no further custodial interrogation may be required, 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 for his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE