

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7500 of 2017**

Laxmi Thakur, S/o. Ramakant Singh, Aged About 36 Years, Cast - Chhattriy,
R/o. Pali Road, Dipka, P. S. Dipka, Tahsil Katghora, District -Korba
Chhattisgarh, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, P. S. -Dipka, District-
Korba, Chhattisgarh, Chhattisgarh.

---- Respondent

For Applicant	: Mr. V.C. Ottalwar & Mr. Akhtar Hussain, Advocates
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For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate.
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Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**23/01/2018**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.69/2016, registered at Police Station – Dipka, District – Korba (C.G.) for the offence punishable under Section 420, 467, 468, 471 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is the employee of Indramani Mineral India Pvt. Ltd.. This company received

a contract for lifting coal from mines of SECL Gevra through e-auction. Applicant was provided with delivery order forms by SECL, on which he made entries for lifting coal mentioning the details of the truck and quantity of the coal to be lifted. As it is alleged that delivery order forms so used for lifting the coal from mines has been found to be forged is totally false allegation. Applicant is in jail since 30.01.2017, the case is triable by Judicial Magistrate First Class and the trial is likely to take sometime for its completion, therefore, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case has been discussed in brief herein above.
6. Applicant is the employee of the Indramani Mineral India Pvt. Ltd. and the forged delivery order has been disowned by the SECL about having been issued by them. Taking into consideration all the facts and circumstances of the case and further taking into consideration this fact that the case is triable by Judicial Magistrate First Class and the trial of the case is likely to take sometime and the applicant is in jail since 30.01.2017, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram