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**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 1049 of 2018**

Ankush Lahre S/o Ramkumar Lahre, Aged About 24 Years R/o Village Tihlipali, Police Station Dharsinwa, District Balodabazar Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Kusmunda District Korba Chhattisgarh, District : Korba, Chhattisgarh.

**---- Respondent**


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For the Applicant : Shri Aditya Khare, Advocate.  
For the Respondent/State : Ms. K. Tripti Rao, P.L.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****12.04.2018**

Heard.

1. This is the first 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.164 of 2017, registered at Police Station – Kusmunda, District – Korba, Chhattisgarh for the offence punishable under Section 407/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 30.11.2017 and he has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. The case is triable by the Judicial Magistrate First Class and the applicant is ready to abide by all the conditions that may be imposed on him. Hence, it is prayed that the applicant 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. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case, a complaint was made by complainant – Arun Singh that load of coal was despatched through Trucks bearing registration Nos. C.G.07-AT-9974 and C.G.-07-CA-9725, respectively from Kusmunda colliery to G.R. Sponge Siltara, Raipur. The consignment did not reach the destination and the load of coal was misappropriated by the drivers of the said Trucks. The name of the applicant has appeared in the investigation that he was involved in the misappropriation of the said load of coal. After due consideration, it appears that after filing of charge-sheet no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Judge