

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6839 of 2017**

Ramkishun Paikra S/o Ram Prasad Aged About 45 Years Caste - (Kawar) Sedduel Caste, Occupation - Driver R/o Village Jheradih (Jampara), Police Station Lundra, District Surguja Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Udaypur, District Bilaspur Chhattisgarh.

---- Respondent

For the Applicant : Shri A.K. Yadav, Advocate.
For the Respondent/State : Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.01.2018**

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. 31 of 2016, registered at Police Station Udaypur, District Surguja, Chhattisgarh for the offence punishable under Sections 406, 420, 467, 468, 471, 120-B and 411 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 24.6.2017 and he has been falsely implicated in this case. The offence has been committed by the co-accused persons who have been granted bail by this Court and by the Co-ordinate Bench of this Court. The applicant was only employed as driver of the truck and has worked on the instructions of the truck owner. 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. The case against the applicant is that he and other co-accused persons forged the registration number plate of a truck and used the same for transporting coal from gevra mines to Raipur and the load of coal was misappropriated and sold to some other persons. After lodging of FIR, the case has been registered against the applicant and others.
6. Considering the submissions and the contents of the case-diary, and the fact that the co-accused persons have been benefited with grant of bail, the case against the applicant is cannot be said different from that of the other accused persons, this application deserves to be allowed.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the 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