

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6893 of 2017

- Ranjit Kumar Alias Bhanu S/o Radheshyam Singh, Aged About 30 Years, R/o in front of petrol pump, Banki Mongra, Police Station Banki Mongra Tahsil Kathghora, District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Banki Mongra, District Korba Chhattisgarh.

---- Non-applicant

For Applicant – Shri Sandeep Dubey, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-01-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for regular bail. The applicant has been arrested on 20-08-2017 in connection with Crime No.100/2017 registered at P.S. Banki Mongra, District Korba, C.G. for the offence under Section 420, 34 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is employed as Supervisor of the truck owner Vimlesh Sharma. Two trucks bearing same registration number belong to the said Vimlesh Sharma and one of those trucks had suffered break down and was not in use when the seizure was made. The co-accused person in this case has already been granted regular bail by coordinate Bench of this Court in MCRC No.6964/2017. The applicant has also the similar case. Hence, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the

application and submission made. It is submitted that the original registration No. of one of the trucks was C.G. 12C 1825 and use of that truck was prohibited by the SECL, because of which that truck was plied with forged registration number in SECL mines with the help of co-accused person. Hence, the applicant is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. Facts of the case are mentioned as hereinabove.

6. Considered on the submissions made and contents of the case diary.

7. As the co-accused has been granted bail by the coordinate Bench of this Court, the case against the applicant is triable by Judicial Magistrate First Class and further that the applicant is local resident of District Korba and his availability before the trial Court can be ensured, I am of this view that the applicant should be granted bail in the present matter.

8. Consequently, the application (MCRC No.6893/2017) filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. 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 Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge