

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 1883 of 2018

- Devendra Kumar S/o Samaru Ram @ Samaru Lal Sahu Aged About 23 Years R/o Village- Lahanga, Police Station- Baradwar, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Baradwar, District Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the applicant : Shri Kamlesh Kumar Pandey,
Advocate

For the Respondent/State : Shri Vinod Tekam, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27.04.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No- Ishtagasha No. 01/2018, registered at Police Station –Baradwar, District – Janjgir-Champa, (C.G), for the offence under Section 41 (1-4)/379 of Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 09.02.2018. No case is made out against him. This applicant is local resident of District – Janjgir – Champa and ready to abide by the conditions which may be imposed upon him while granting bail, hence, it is prayed that he may be released on bail.

3. Learned counsel for the State opposes the bail application and submissions made.
4. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case, on 19.02.2018 three tonnes of steam coal were seized from the possession of the present applicant, which was being transported in his tractor-trolley, on suspicion that steam coal was property of theft, it was seized. Hence, this case.
6. Considering the submissions made, contents of the case diary and further considering this fact that this applicant has no previous antecedents, he is in jail since 19.02.2018 and the trial is not yet completed, hence, for these reasons, I am of the view that this applicant should be released on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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