

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 2150 of 2018

- Pramod Yadav S/o Banshi Lal Yadav Aged About 24 Years R/o- Mogra Basti, Banki Mogra, Police Station Banki Mogra, Civil And Revenue District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station Sakti, Civil And Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the applicant : Shri Punit Ruparel,
Advocate

For the Respondent/State : Shri N. K. Mehta, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

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02.05.2018

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 Ishtagasha- No.01/2018 registered at Police Station –Sakti, District – Janjgir- Champa, (C.G), for the offence under Section 41 (1-4)/379, 406, 34 of the 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 23.01.2018. The present applicant was working as driver on the instruction given by the owner he was transporting the coal from one place to another place, in between the police arrested him. No

case is made out against him. Similarly, placed co-accused persons have been granted bail by this Court, hence, it is prayed that he may be also entitled for grant of 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, police personal of PS- Sakti during night patrol visited the place near village- Masaniya, where 20,430 metric tones of coal and 70 litres of diesel was found store. The allegation against this applicant is this that he was the drive of the vehicle that was used to bring the coal for dumping in the dumping yard. Suspecting the dumped property as property of theft, the case was registered against him. Hence, this case.
6. Considered on the submissions made and contents of the case diary. Similarly, placed co-accused persons have been granted bail by this Court, hence, I am of the view that the present applicant is also entitled for grant of 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