

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2421 of 2018**

Raju Kumar Yadav @ Rajeev Ranjan S/o Vinshdev Aged About 29 Years
R/o- Langarahi Turi, P.S.- Hariharganj, District- Palamu (Jharkhand),
District : Palamu, Jharkhand.

---- Applicant**Versus**

State Of Chhattisgarh Through- S.H.O. Chandrapur, District- Janjgir-
Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicant : Shri Amit Sharma, Advocate.
For the Respondent/State : Shri Ashok Swarnakar, P.L.

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 Ishtgasa No.1 of 2018, registered at Police Station – Chandrapur, District – Janjgir-Champa, Chhattisgarh for the offence punishable under Section 41 (1-4) of the Cr.P.C. and Sections 379 and 407 of the Indian Penal Code.

2. Learned counsel for the applicant submit that the applicant is in jail since 14.2.2018 and he has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. 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. On 14.2.2018, the police personnel of P.S. Chandrapur, District Janjgir-Champa stopped and searched the vehicle bearing registration No.C.G. 13-L-2383 which was carrying a load of coal dust. On examining the papers, it was found that the destination of coal dust to be transported was Raigarh whereas the vehicle was found in Chandrapur, which is in opposite direction for which the papers were not there. Hence, the load of coal was seized on suspicion of being property of theft. Till date, no person has come forward to make a complaint to claim the coal dust and looking to the progress in the investigation so far, I am of the considered opinion that the applicant deserves to be released on bail.
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