

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2897 of 2018

- Ramjatan Mourya S/o Late Shri Raghunath Mourya Aged About 44 Years
R/o- Mourya S.T.D. Yadav Para Balaji Nagar, Khurshipar, Ward No. 30,
Police Station Khurshipar Bhilai, Tahsil And District- Durg (CG)

---- Applicant (In Jail)

Versus

- State Of Chhattisgarh Through- Executive Magistrate (Collector), Durg,
District- Durg (CG)

---- Respondent

For Applicant	:	Mr. H.B. Agrawal, Sr. Advocate with Ms. Prabha Sharma, Advocate
For Respondent	:	Mr. Gary Mukhopadhyaya, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/05/2018

1. This is the first application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested on 23.2.2018 in connection with Crime No.76/2018 registered at Police Station Mohan Nagar, Durg (CG) for the offence punishable under Sections 120B, 420, 468, 471 of the Indian Penal Code.
2. As per the prosecution case, in order to avoid tax liability of Rs.5 lakh, present applicant, who is owner of truck bearing registration number CG04-E-9025, has not only changed number plate of his truck by the number plate having number of 'CG04-C-6847' but also changed the engine & chassis number by punching.

3. Learned Senior Counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the offence. He further submits that the offence with which the applicant has been charged with is triable by the Magistrate 1st Class. The applicant is in jail since 23.2.2018, the charge sheet has already been filed and the trial is likely to take time. Hence, he prayed that the applicant may be released on regular bail.
4. On the other hand, learned State Counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case, nature of allegation levelled against the applicant, the fact that he is in custody since 23.2.2018 and that conclusion of trial is likely to take time, I am inclined to release the applicant on regular bail.
6. Accordingly, it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like sum to the satisfaction of the trial Court concerned. He is directed to appear before the trial Court concerned on each and every date given by the said Court.
7. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

roshan/-