

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3947 of 2018

Munna @ Abdul Salim, aged about 50 years, S/o Abdul Rauf (wrongly mentioned Rau) Musalman, R/o Village- Chakradharnagar, Sethinagar Sindhi Colony, Police Station- Chakradharnagar, District- Raigarh (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through- the Station House Officer, Police Station- City Kotwali, Chauki (Jut Mill) Distt.- Raigarh (C.G.).

---- Respondent

For Applicant	:	Mr. Kishore Bhaduri and Mr. Pawan Kesharwani, Advocates
For Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

26/06/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 535/2018 registered at Police Station- City Kotwali, Chauki (Jut Mill), Distt. - Raigarh (C.G.) for the offence punishable under Section 414 of IPC.
2. As per prosecution story on the information received from the informant on 13/02/2018, patrolling party of the police went to the shop of the applicant and seized different types of iron amounting to Rs. 14,60,000/- and registered a crime against the present applicant and other persons under Section 41 (1+4) and 379 of IPC. After investigation, charge-sheet under Section 414 of IPC was filed on

18/05/2018 against the present applicant. The applicant was arrested on 21/03/2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant was running scrap purchasing and selling business as per law provided. The applicant is having a license for running the said business. A registration in this regard was also issued by the competent authority and he is having the bills of all the seized property, which he also produced before the trial Court. He further submits that the applicant is in custody since 21/03/2018, offence is triable by the Magistrate only, charge-sheet has already been filed and the trial will likely to take some time to conclude, therefore, the applicant may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly considering that the applicant is in jail since 21/03/2018, charge-sheet has already been filed, offence is triable by the Magistrate and the trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety for the like

amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-

Judge
Arvind Singh Chandel

Rahul