

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4586 of 2018

Netram S/o Shri Seduram, aged about 38 years R/o Village- Bichganwa, P.S.- Laxmangarh, District- Alwar (Rajasthan).

--- Applicant

Versus

State of Chhattisgarh, Through Police Station- Raghunathnagar, District- Balrampur- Ramanujaganj (C.G.)

---- Respondent

For Applicant	:	Mr. Akath Kumar Yadav, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

13/07/2018

1. The applicant has preferred this Second bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 93/2017 registered at Police Station- Raghunathnagar (C.G.) for the offence punishable under Sections 379, 395 and 412 of IPC.
2. The first bail application of the applicant was rejected vide order dated 09/05/2018 in MCRC No. 2591/2018 on the ground that some of the co-accused persons were absconding and the present applicant is the resident of State of Rajasthan.
3. As per prosecution story it is alleged on 11/12/2017, the present applicant along with other co-accused have looted the transmission wires from the site of Kalpataru Power Transmission Company situated at Village- Pandri, Wadrafnagar. The said looted wire,

thereafter was taken to Dehli and was sold there. The allegation against the present applicant is that he helped the other co-accused persons for the purpose to sell the said looted wire in Dehli.

4. Learned counsel appearing on behalf of the applicant submits that the applicant was working as a labour only and his presence and involvement in the loot has not been established. He further submits that on the same set of facts, co-accused Shriram and Ratan have already been enlarged on bail vide order dated 28/05/2018 in MCRC No. 3002/2018 by the co-ordinate bench of this Court. Aanother co-accused Narendra Kumar Nishad has also been enlarged on bail vide order dated 19/06/2018 in MCRC No. 3044/2018. He further submits that Shriram Saini and Ratan Lal are the resident of Rajasthan and Narendra Kumar is the resident of Fatehpur (U.P.). He further submits that the applicant is in custody since 08/01/2018, therefore, he may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, particularly considering that other co-accused persons have already been enlarged on bail and further considering that the allegation against the present applicant is of similar nature as against the other co-accused persons, without further commenting on merit of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.

9. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs.25000/- with one local solvent surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-
Judge
Arvind Singh Chandel

Rahul