

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4960 of 2018**

Nandkishore Khakre @ Narendra Singh, S/o. Sukhdev Khakre, Aged About 25 Years, R/o. Satner, Police Station -Athner, District Baitul M.P.

---- Applicant**Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police Station Hirri, District -Bilaspur Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Vipin Singh, Advocate
For Respondent	:	Mr. Anil S. Pandey, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**06/08/2018**

1. This is the first bail applications 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 Crime No.05/2018, registered at Police Station- Hirri, District – Bilaspur (C.G.) for the offence punishable under Section 407, 420, 120-B, 411, 467, 468, 471, 201 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 11.01.2018. No case is made out against him according to the material present in the charge-sheet. The applicant and the complainant Navrang Agrawal have compromised with each other and the compromise petition have

been filed, before the trial Court, but the same was not allowed. Even under these circumstances as the case is pending and the applicant is ready to abide by all the conditions imposed for grant of bail. Hence, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect. It is submitted that the applicant has criminal history of having committed similar nature of offence, for which, he has been prosecuted in the State of Karnataka.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. The allegation against this applicant is this that he is the driver of the truck bearing No. M.P.-11-0534 received consignment of rice bran to be transported from Bilha to Sai Baba Solvent Nagardhan Road, Nagpur. The consignment did reach its destination and was misappropriated by this applicant. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, the trial against the applicant is likely to take sometime for its conclusion, no purpose would be served, if the, applicant is kept in detention till the conclusion of trial and further taking into account the fact that the applicant and the complainant have compromised the matter with each other, hence for these reasons, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.

8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge