

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5464 of 2018

- Shashi Kumar Yadav S/o Baljeet Yadav Aged About 26 Years R/o Village Gujara, Beside Railway Fatak Lakhoul, District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate , Durg District Durg Chhattisgarh.

---- Respondent

For Applicant	: Shri Uttam Pandey, Advocate.
For Respondent/State	: Shri Anil Pandey, Government Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

23/08/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 153/2018, registered at Police Station Mohan Nagar, District Durg (C.G.) for the offence punishable under Sections 420, 407 & 120-B/34 of the Indian Penal Code.
2. As per the prosecution story, on 22-04-2018 Police authority received secret information that Tanker No. CG-12, C-3087 loaded with furnace oil mixed with black oil is stationed near D-Mart Highway after coming from Rajnandgaon and transporting illegally the said oil. On the basis of said information the said vehicle was stopped. It was found that the vehicle was loaded at Bharat Petroleum Corporation Limited Lakholi Raipur for unloading at Madava Power Plant Tendubhatha, Janjgir-Champa, but on being instructed by owner/co-accused, applicant take the vehicle as instructed by him, It is further alleged that the co-accused namely Chunnu Sav @ Naresh Mathur mixed there black oil, thereafter applicant carrying said vehicle towards Madva Power Plant. On the basis of above, offence has been registered and the present

applicant was arrested on 23-04-2018.

3. Shri Uttam Pandey, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case, he only follows instructions given by his owner/co-accused Chunnu Sav @ Naresh Mathur. He further submits that the applicant is in custody since 23-04-2018 and trial will likely to take some time, therefore, applicant may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 23-04-2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits 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. 10,000/- with one surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge