

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7517 of 2018**

- Mohanlal Gupta S/o Santuram Gupta Aged About 36 Years Occupation Farmer, R/o Outpost Kajubadi Chowki, Police Station Rairumah, District Dharamjaigarh, Raigarh Chhattisgarh.

**---- Applicant**

**Versus**

- State of Chhattisgarh Through The Station House Officer, Outpost - Rairuma, Police Station Dharamjaigarh, Tahsil- Dharamjaigarh Raigarh Chhattisgarh.

**---- Respondent**

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For Applicant : Shri Vivek Tripathi, Advocate.  
For Respondent/State : Smt. Smita Ghai, Panel Lawyer.

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**12/10/2018**

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 Istgasha No. 03/2018, registered at Outpost- Rairuma, Police Station – Dharamjaigarh, District- Raigarh, (C.G.) for the offence punishable under Sections 41(1)(d) of Cr.P.C. and Section 379 of I.P.C.
2. As per the prosecution story, on 07.09.2018, police personnels found the Applicant in illegal possession of 400 litres of diesel and 3500 litres of Kerosene, on suspicion the same has been theft article, crime has been registered against the Applicant. Applicant is in custody since 07.09.2018.
3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the Applicant has no criminal antecedent, he is in custody since 07.09.2018 and trial will take some time. Therefore, he

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 the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant has no criminal antecedent, he is in custody since 07.09.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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. 20,000/- with one solvent 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**