

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8553 of 2018

- Rahul Singh S/o Prakash Singh Aged About 30 Years R/o Village - Ghuru, Police Station Sakri, District - Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station - Masturi, District - Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Rohit Sharma, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

29/11/2018

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. 239/2018, registered at Police Station – Masturi, District- Bilaspur, Chhattisgarh, for the offence punishable under Sections 379/34 of the Indian Penal Code.
2. As per the prosecution story, one Mohd. Naved lodged a report on 25.06.2018 wherein it has been alleged that some unknown persons have stolen tanker bearing registration No. CG-10-ZB-1606 alongwith 12,000/- litres of kerosene oil. On the basis of the above, offence has been registered. On 27.06.2018, the said stolen tanker has been recovered between the road of village Padawpara and Dhekuna, P.S. Simga, District- Balodabazar (C.G.). It is further alleged that present Applicant is also involved in the said offence. On the basis of the memorandum statement of the present Applicant, some cash and one mobile have been recovered from him. He has been taken into custody on 15.07.2018.

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 states that vide order dated 27.10.2018 other co-accused namely Sanjay Sao (in MCRC No. 6385 of 2018), Sato Yadav (in MCRC No. 6946 of 2018) and Deepak Yadav (in MCRC No. 7675 of 2018) have already been granted bail by this Court. Applicant is in custody since 15.07.2018. 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 and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that other co-accused persons have already been granted bail, Applicant is in custody since 15.07.2018 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