

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8998 of 2018**

Dashrath Kumar Verma S/o Late Punau Ram Verma, aged about 47 years R/o Ward No. 17, Near Devnarayan House, Shanti Nagar, Durg, District Durg (C.G.).

--- Applicant**Versus**

State of Chhattisgarh, Through The District Magistrate, District Durg, District Durg (C.G.).

---- Respondent

For Applicant	:	Mr. Jitendra Gupta, Advocate
For Respondent	:	Ms. Smita Ghai, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**05/12/2018**

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 346/2018 registered at Mohan Nagar, Durg, District Durg (C.G.) for the offence punishable under Section 407 of the IPC and Section 3 & 4 of the Essential Accommodates Act.
2. As per prosecution story, 71 bags of rice were loaded in the truck belonging to co-accused Rajendra Singh for supplying the same to the Fair Price Shop At Bodegaon on 23/08/2018. The Applicant was driver of the said vehicle. It is alleged that the Applicant unloaded 40 bags of rice in the Fair Price Shop at Bodegaon and unloaded remaining bags of rice in Navin Mahila Sewa Sahayata Samiti. On an inspection made by the Food Inspector, the said shortage was found in

the Fair Price Shop at Bodegaon. The matter was reported. The Applicant has been taken into custody on 05/09/2018.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated. The Applicant was only the driver of the said vehicle, who was following instruction of his master namely Rajendra Singh (co-accused). There is no direct evidence against the Applicant. Main accused Rajendra Singh has already been granted benefit of anticipatory bail by this Court on 23/10/2018 passed in MCRCA No. 1288/2018. He further submits that the Applicant is in custody since 05/09/2018, charge-sheet has been filed and trial will take time, therefore, the Applicant 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 both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Applicant is in jail since 05/09/2018, charge-sheet has been filed, trial will likely to take some time and co-accused Rajendra Singh Yadav has already been granted benefit of anticipatory bail, without further commenting on merit 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. 20,000/- 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

Rahul