

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 442 of 2019**

1. Krishna Rao S/o K. Baburao Aged About 32 Years R/o Laxmi Nagar, Supela, Police Station- Supela, District- Durg, Chhattisgarh.
2. Rajesh Yadav S/o Sukalu Yadav Aged About 26 Years R/o Raju Nagar, Supela, Police Station- Supela, District- Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Koni, District- Bilaspur, Chhattisgarh

---- Respondent

For applicant	Mr. Rajeev Kumar Dubey, Adv.
For non-applicant/State	Mrs. M. Asha, PL.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

6-2-2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no bail application is pending before any other court.
2. The applicants have been arrested in connection with Crime No. 1/2019 registered in police station Koni, Distt. Bilaspur (CG) for offence punishable under Section 379, IPC and Section 41(1-4) of Cr.P.C.
3. Prosecution story in brief is that on 3-1-2019 Head Constable Tarun Jaiswal, posted at PS Koni seized one truck bearing registration No. CG 07 C 4633. Nine ton scrap was loaded in the truck. Applicant No. 1 Krishna Rao was driver of the truck and applicant No. 2 Rajesh Yadav was cleaner of the truck. As per statement of owner of the scrap Seikh Javed, he was getting transported the scrap to Prayas Steel, Siltara after purchasing.
4. Counsel for the applicants argued that the applicants are innocent and have been falsely implicated hence they be released on bail.
5. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicants in the police case diary.
6. Looking to the above facts and circumstances of the case, application is allowed. It is ordered that if each of the applicants furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, they be released on bail.
7. CC as per rules.

Sd/-

(Sharad Kumar Gupta)

Judge