

HIGH COURT OF CHHATTISGARH AT BILASPURMCRC No. 926 of 2019

Suresh Kumar Sahu S/o Paras Ram Sahu Aged About 45 Years R/o Maretha Nawagaon, Police Station- Lalbag, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- **Petitioner**

Versus

State Of Chhattisgarh Through District- Magistrate, Rajnandgaon, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- **Respondent**

For applicant	:	Shri S. S. Baghel, Advocate.
For resp./State	:	Shri Arvind Dubey, PL

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07/02/2019

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No. 326/2017 registered at Police Station Lalbag, District Rajnandgaon (C.G.) for the offence punishable under Sections 379, 120-B, 420, 467, 468, 471, 401 & 201 of IPC.
2. Present applicants are in jail since 14/11/2017.
3. The case of the prosecution against the present applicants is that, the present applicants in connivance with the other accused person is said to have committed theft of Tractors and used to sell the said stolen Tractors to different persons in different villages by preparing fake documents.

4. The counsel for the applicant submits that the present applicant has remained in custody for a period of 15 months. He further submits that the except for the memorandum statement of the Co-accused there is no material available with the prosecution to implicate the applicant in the said offence. He further submits that the applicant for the similar nature of offence has also been made accused in another Crime registered at Police Station Kurud, where the Crime No. is 241/2017 and where the applicant has already been enlarged on bail by this Court in MCRC No. 4772/2018 on 10/08/2018 and taking all these facts prays for grant of bail.

5. The State counsel however opposing the bail application submits that, the applicants are a part of big racket and in the commission of organized crimes and thus prayed for rejection of the bail application.

6. Having heard the contentions put forth on either side and on perusal of record, particularly taking into account the nature of allegation, the material collected in the course of investigation and also taking note of the fact that no substantial piece of material could be extracted from the witnesses who have been examined till now, so also considering the period of custody undergone this Court is of the opinion that, prima-facie, a strong case has been made out for grant of bail to the present applicants.

7. Accordingly, the application for grant of bail is allowed. It is ordered that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of

the concerned Trial Court. The applicants shall thereafter appear before the Trial Court on each and every date given by the said court.

Rohit

Sd/-
(P. Sam Koshy)
JUDGE