

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1070 of 2019**

- Tameshwer Sahu S/o Shri Tejram Sahu Aged About 27 Years R/o Ward No. 10, Shankar Nagar Kumhari ,police Station Kumhari ,tahsil And District (Revenue And Civil Durg)chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Dharsinva ,district Raipur Chhattisgarh

---- Non Applicant

For the Applicant : Shri Yogesh Pandey, Advocate

For the State : Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26/02/2019**

1. This is the first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.517/2018 registered at Police Station- Dharsinva, District- Raipur (C.G.) for the offence punishable under Section 420/34 of Indian Penal Code.
3. Case of the prosecution, in brief is that M/s. R.S. Perocam is the supplier of raw material Mill Skale to the Godavari Power & Ispat Ltd. Siltara. Applicant was Lab Technician in that factory. On 08.10.2018 said company had supplied 140 tonnes Mill Skale. Applicant had obtained the sample and gave it for testing in the Lab. As per the testing report the percentage was 70.69. Assistant Manager of said factory said to chemist Prasanna Chandrakar to take again sample and get tested. On second testing the percentage was 47.28. Applicant had changed the substandard sample by some good sample. During the investigation it was found that due to the earlier similar acts of applicant, said factory had got the substandard raw material 140 tonnes and at about 5 lakh rupees loss was caused to said factory.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicant.
6. Counsel for the applicant further submitted that applicant had not tested the raw material, thus he may be released on bail.
7. Looking to the facts and circumstances of the case, looking to the material available on record, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul