

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3996 of 2019

- Sandeep Singh Baghel S/o Vishnu Bahadur Singh Baghel, Aged About 31 Years, R/o Village- Chitang, Tahsil- Sihaval, District- Sidhi, Madhya Pradesh., District : Sidhi, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Bhatapara Gramin, District- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicant – Shri Harshwardhan Parganiha, Advocate.

For Non-applicant/State – Shri Vikram Dixit, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

31-07-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 20-05-2019 in connection with Crime No.185/2019 registered at P.S. - Bhatapara Gramin, District- Balodabazar-Bhatapara, Chhattisgarh for the offence under Section 407, 420, 465, 34 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 20-05-2019. No case is made out against him. Charge sheet has been filed after completion of the investigation. Therefore, it is prayed that the application may be allowed.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, complainant Mohammed Yasin dispatched 834 bags of Rahar Dal in truck No.C.G. 11 A.B. 2086 which was consigned to be delivered in two places at Uttar Pradesh and Bihar. Later on, it

was found that the said consignment did not reach to the consignee and was misappropriated by the driver/transporter of the said truck. On that basis the case has been registered. During investigation it was found that this applicant was in possession of 96 bags of Rahar Dal which was from the same consignment. Hence, this case.

6. Considering that the transporter in this case has been granted bail by the Court below and further for the reason that this applicant has no criminal antecedent and also for the reason that the case is now pending for trial, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge