

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4030 of 2019**

Panchuram Yadav S/o Bisanram Yadav Aged About 48 Years R/o Mashal Chowk Ward No. 36 New Khursipaar Bhilai District Durg Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Khursipaar, Bhilai District Durg Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Punit Khichariya, Advocate on behalf of Shri Anurag Jha, Advocate.
For the Respondent/State	:	Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****31.07.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.84 of 2019, registered at Police Station – Khursipaar, District – Durg, Chhattisgarh for the offence punishable under Sections 379, 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 26.3.2019 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. After completion of investigation, the charge-sheet

has been filed. One of the co-accused – Baldev Singh @ Dev Mistri has been granted regular bail by this Court. Hence, for these reasons, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

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

5. The allegation against the applicant is that he committed theft of one truck bearing registration No. C.G. 04 JA-6915 and sold the same to co-accused – Baldev Singh. After lodging of FIR, the said truck has been seized from the possession of the co-accused.

6. Presently, the case is pending for trial and there is no criminal antecedents against this applicant. Considering the fact that similarly placed co-accused person has been granted regular bail by this Court, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi