

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4247 of 2019**

Suresh Kumar Sah S/o Shri Purushottam Sah (mentioned as Shah in the petition), aged about 28 years, Occupation Driver, residence of village-Okhrawa, P.S. Mada, District Singrouli (MP)

-Applicant**Versus**

State Of Chhattisgarh Through Police Station Punjipathra, District Raigarh (CG)

--Respondent

For Applicant : Shri V.K.Pandey, Advocate

For Respondent/State : Shri Wasim Miyam, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

31.07.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.69/2019, registered at Police Station Punjipathra, District Raigarh(CG) for the offence punishable under Sections 407, 411, 34 of the IPC.
3. As per the case of prosecution, the applicant is driver of truck bearing No.CG-15 DF-4886 and he loaded 30 tons of iron rod in the truck amounting to Rs.11 lakhs approximately on 7.4.2019 from Nirmalanand Steel Casting Private Ltd. Punjipathra which was to be delivered to M/s Ashish Kumar Agrawal, Rajpur, District Balrampur (CG) and instead of delivering the goods to the destination, on the way, he along

with the co-accused misappropriated and sold the goods to one Premlal Jaiswal.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he delivered the goods as per the instructions of owner of the said truck. He submits the applicant is in jail since 12.4.2019 and trial will take some time for its final disposal, therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the fact that the applicant is in jail since 12.4.2019, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with two local sureties in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE