

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4521 of 2019

- Tiharu Ram S/o Hetram Sahu Aged About 40 Years R/o Village Masaniya Kala, Police Station And Tahsil Sakti, District Janjgir - Champa Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sakti, District Janjgir - Champa Chhattisgarh.

---- Respondent

For Applicant : Mr. Kamlesh Kumar Pandey, Advocate.
For Respondent/State : Mr. Amit Kumar Verma, P.L

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

08/08/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 218/2019, registered at Police Station – Sakti, District- Janjgir Champa (C.G.) for the offence punishable under Section 406, 379, 411 & 34 of the IPC.
2. In this case, there are total 3 accused persons. As per prosecution story, on 04.05.2019, the complainant of the case Deepak Singh, Supervisor of TRN Energy Company lodged a report regarding misappropriation and theft of coal by the applicant and other co-accused persons. On the basis of said report, offence has been registered. During course of investigation, the applicant has been arrested on 05.05.2019.
3. Learned Counsel appearing on behalf of the applicant submits

that the applicant is innocent and has been falsely implicated in the present case, he further submits that the applicant is only engaged with the Trailer bearing registration no. C.G. 12 S 4943, prima facie no case has been made out against him, he has no criminal antecedent, he is in custody since 05.05.2019 and trial and trial is likely to take some time. Therefore, the applicant may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant has no criminal antecedent, he is in custody since 05.05.2019 and trial and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge