

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5109 of 2019

- Mahesh Das Vaishnav @ Pappu S/o Shankar Das Vaishnav, Aged About 27 Years, R/o Shanti Nagar, Pali, Police Station - Pali, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dipka, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Non-applicant

For Applicant – Shri S.R.J. Jaiswal, Advocate.

For Non-applicant/State – Shri Priyanshu Gupta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-09-2019

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 22-02-2019 in connection with Crime No.251/2018 registered at P.S. Dipka, District Korba, Chhattisgarh for the offence under Section 447, 379, 34 of the IPC and Section 3, 7 of Essential Commodities Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 22-02-2019. No case is made out against him. The trial against him is still pending. Therefore, it is prayed that this applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. The allegation against the applicant is this, that he and the co-accused persons were stealing diesel from one vehicle parked in the yard of Kusmunda colliery. On seeing the patrolling party the applicant and others fled from the spot. Subsequently, the applicant has been arrested on 22-02-2019. Hence,

this case.

6. Considering that the trial against the applicant is pending and he has no criminal antecedent, therefore, 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