

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5361 of 2019

Sangam Lal Gautam S/o Surjan Prasad Aged About 35 Years R/o Ward No. 09, Banjari Nagar, Rawbhata, Raipur, District : Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through - Police Station Village - Bhatapara, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicant	: Mr. Ashish Beck, Advocate.
For Non-applicant/State	: Mr. Adil Minhaj, PL

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-10-2019

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.185/2019, registered at Police Station – Village – Bhatapara, District – Baloda -Bazar, Chhattisgarh for the offence punishable under Sections 407, 420, 465/34 of the Indian Penal Code.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in the present case . He is in jail since 20.05.2019. The applicant is not the owner of the truck neither he was driver of the truck bearing registration number C.G. 11 A.B. 2086, this fact is disclosed from the papers of transport which has been seized in this case. Similarly, the other co-accused Sandeep Singh Baghel has been granted regular bail by this Court and the

driver/transporter Aman Shukla has also been granted bail by the trial Court itself. Charge sheet has been filed after completion of investigation. Therefore, it is prayed that the application may be allowed.

3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant is the main accused and it was his plan for committing this offence under the collaboration of the other accused, therefore, prayed that application be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, truck bearing registration number C.G. 11 A.B. 2086 was loading with 250 quintals of Rahar Dal from Mahak Industries, Bhatapara and dispatched to Chhapra. The consignment did not reached the destination and the FIR was lodged by the owner of Mahak Industries. Thereafter, during investigation, this applicant was apprehended and on interrogation he has disclosed that he used the forged number plates, forged RC book of truck and driving license for transport and also presenting himself as Brijmohan he has obtained the Rahar dal for transport, from Mahak Industries.
6. Considering the submission of learned counsel of the applicant, that the other co-accused Sandeep Singh Baghel and Aman Shukla has been granted regular bail and further that the applicant has no criminal antecedent, therefore, I feel inclined to allow this application.
7. Consequently, these 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

yasmin