

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5330 of 2019**

- Ramesh Kumar Mittal S/o Shri Ved Prakash Agrawal Aged About 44 Years R/o Kundala City, Ambikapur, Thana and Tehsil Ambikapur, District- Surguja, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Thana Dhaupur, District- Surguja, Chhattisgarh.

---- Respondent

For Applicant	: Shri Manoj Paranjpe and Shri Abhyuday Singh, Advocates.
For Respondent/State	: Shri Anand Verma, Dy. G.A.
For Objector	: Shri C.J.K. Rao, Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

04/09/2019

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. 65/2018, registered at Police Station – Dhaupur, District- Surguja, (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B and 201 of the IPC.
2. In this case there are total 5 accused person. As per the prosecution story, Complainant Ganga Prasad lodged a report wherein it has been stated that he was running a stone crusher and 6 months prior to lodging of the report, the stone crusher had been closed. Later on, he came to know that present Applicant Ramesh Kumar Mittal alongwith other co-accused persons namely Ajay Kumar Agrawal and Rajesh Kumar Agrawal and others used forged pit pass in the name of Complainant, without paying the requisite royalty. It is alleged that co-accused namely Ravindra Tiwari was working as a clerk in the Crusher of present Applicant. Another co-accused Vishnu Choubey @ Golu was also involved in the crime in question. On the basis of the

report made by Complainant, offence has been registered. During course of investigation, present Applicant has been arrested on 19.07.2019.

3. Learned Counsel appearing on behalf of the Applicant submits that Applicant is innocent and has been falsely implicated in the case. He further submits that other 4 co-accused persons have already been granted bail by this Court. Applicant is in custody since 19.07.2019, charge-sheet has been filed and trial is likely to take some time. Therefore, he may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State and Objector opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that other co-accused persons have already been granted bail, Applicant is in custody since 19.07.2019, charge-sheet has been filed and trial is likely to take some time, without further commenting on other merits of the case, I am inclined to release him 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. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge