

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6325 of 2019**

- Sunder Singh Gond S/o Atma Ram Gond Aged About 27 Years Caste-Gond, R/o Village Panora, Sindhripara, Budgahan, Police Station-Baloda, District- Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Outpost-Hardibazar, Police Station- Kusmunda, District- Korba, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Dharmesh Shrivastava, Advocate.
For Respondent	:	Mr. Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 344/2019 registered at Police Station - Kusmunda, Outpost- Hardibazar, District Korba (C.G.) for the offence punishable under Sections 447, 379, 34 of IPC and Section 3 & 7 of the Essential Commodities Act.
- The prosecution story in brief is that, allegation against the present applicant is that, he with co-accused was escaping after taking diesel from standing P.C. No. 1097 by Bolero Vehicle bearing registration No. CG 12 AS 7335. Thereafter, applicant was arrested with the total quantity of 280 litres diesel and offence has been registered against the applicant.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the present applicant is a driver and at

the time of incident, he was on duty to take diesel from coal project, S.E.C.L., Dipka, Thus, it is clear that he has not committed any offence, he is in jail since 06.09.2019, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the detention period of the applicant, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge