

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 9529 of 2018**

1. Naveen Mohan Singh S/o Late Shri Dharam Singh, aged about 40 years R/o. Pachripara, Station Road, Durg, Police Station City Kotwali, Tahsil and District Durg (C.G.).
2. Somdev Rajput S/o Shri Chhabi Lal Rajput, aged about 27 years, R/o Urla, Police Station Pulgaon, Tahsil and District Durg (C.G.).

**--- Applicant**

**Versus**

State of Chhattisgarh through Station House Officer, Police Station Mohan Nagar, Durg, District Durg (C.G.)

**---- Respondent**

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|----------------|---|---------------------------------------------------------|
| For Applicant  | : | Mr. Abhishek Pandey and Mr. Santosh Kumar,<br>Advocates |
| For Respondent | : | Mr. K.K. Dewangan, Dy. Govt. Advocate                   |

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Hon'ble Shri Justice Arvind Singh Chandel

**Order on Board**

**25/01/2019**

1. The Applicants have preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 346/2018 registered at Police Station Mohan Nagar, Durg (C.G.) for the offence punishable under Section 407 of the IPC and Section 3 & 7 of the Essential Commodities Act.
2. As per prosecution story, 71 bags of rice were loaded in the truck belonging to co-accused Rajendra Singh for supplying the same to the Fair Price Shop At Bodegaon on 23/08/2018. Applicant No. 1 Naveen Mohan was the salesman of the said Fair Price Shop and Applicant No. 2 Somdev was the person to measure the said item. It is alleged that driver of the said truck co-accused Dashrath unloaded 40 bags of rice in the Fair Price Shop at Bodegaon and unloaded remaining bags of rice in Navin Mahila Sewa Sahayata Samiti. On an inspection

made by the Food Inspector, the said shortage was found in the Fair Price Shop at Bodegaon. The matter was reported. The Applicants have been taken into custody on 16/09/2018.

3. Learned counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated. Applicant No. 1 Naveen Mohan was the salesman and Applicant No. 2 Somdev was the person to measure the said item. The main accused is Rajendra Singh who has already been granted benefit of anticipatory bail by this Court on 23/10/2018 passed in MCRCA No. 1288/2018. Other co-accused Dashrath has also been granted regular bail by this Court vide order dated 05/12/2018 passed in MCRC No. 8998/2018. He further submits that the Applicants are in custody since 10/09/2018, charge-sheet has been filed and trial will take time, therefore, the Applicants 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 both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Applicants are in jail since 10/09/2018, charge-sheet has been filed, trial will likely to take some time and other co-accused persons have already been granted benefit of bail, without further commenting on merit of the case, I am inclined to release the Applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of

them executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court, as and when directed.

Sd/-  
**(Arvind Singh Chandel)**  
**Judge**

Rahul