

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9866 of 2018**

Dinesh Kaushik S/o Jeevan Lal Kaushik Aged About 24 Years R/o Village- Rasouta, Police Station- Balouda, Tahsil And District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through Police Station- Kotra Road, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri Pawan Shrivastava, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**17/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.294/2018 registered at Police Station Kotra Road, District Raigarh (C.G.) for the offence punishable under Section 420, 406/34 of IPC.
3. Case of the prosecution, in brief is that applicant was the driver of a trailer. He had got departed on 13/09/2018 from the Dipka mines along with coal to deliver at Jindal Steel Power. He dumped some coal in the plant of co-accused Pradeep Yadav and mixed stone chips in remaining coals and handed over it to Jindal Steel Power. For this purpose he got Rs. 7,000/- from co-accused Pradeep Yadav.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge