

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No. 10010 of 2018

Meghnath @ Pawan S/o Deena Singh, aged about 27 years, R/o village Tikri, P.S. Arjunda, Tehsil Gunderdehi, District Balod (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through - District Magistrate, District Rajnandgaon (C.G.), P.S. Somni, District Rajnandgaon (C.G.) (As per charge sheet).

---Respondent

For applicant	:	Shri Vijay Kumar Sahu, Advocate.
For resp./State	:	Shri Rahul Mishra, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/01/2019

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No. 134/2017 registered at Police Station Somni, District Rajnandgaon (C.G.) for the offence punishable under Section 379 & 34 of IPC.
2. Present applicant is in jail since 14/11/2017.
3. The case of the prosecution against the present applicant is that, the present applicant in connivance with the other accused person is said to have committed theft of Tractors and used to sell the said stolen Tractors to different persons in different villages by preparing fake documents.
4. The counsel for the applicants submits that, the present applicants have already remained in custody for a period of about 1 year and 2 months. He

further submits that, except for the memorandum statement of co-accused, there does not appear to be any material which the prosecution has collected during the course of investigation. It is further contended by the counsel for the applicant that the present applicant has already been enlarged on bail in an identical case registered in another police station where the crime has been registered as Crime No. 326/2017 at police station Lalbagh, District Rajnandgaon (C.G.) vide MCRC Nos. 8571/2018 and 10009/2018.

5. The State counsel however opposing the bail application submits that, the applicant is a part of big racket and in the commission of organized crimes and thus prayed for rejection of the bail application.

6. Having heard the contentions put forth on either side and on perusal of record, particularly taking into account the nature of allegation, the material collected in the course of investigation and also taking note of the fact that no substantial piece of material could be extracted from the witnesses who have been examined till now, so also considering the period of custody undergone this Court is of the opinion that, prima-facie, a strong case has been made out for grant of bail to the present applicant.

7. Accordingly, the application for grant of bail is allowed. It is ordered that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Trial Court. The applicant shall thereafter appear before the Trial

Court on each and every date given by the said court.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE