

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 556 of 2020

- Mohd. Arshdul Hoda S/o Najmul Hoda, Aged About 30 Years R/o Jaipur, Police Station Pratappur, District Chatra (Jharkhand),

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Punjipathra, District Raigarh Chhattisgarh

---- Respondent

For Applicant	: Shri Ashish Gupta, Advocate
For Respondent/State	: Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/03/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 225/2019 registered at police station Punjipathra, District Raigarh (CG) for the offence punishable under Section 407/34 IPC.

As per prosecution case, the applicant who was the truck driver was ordered to transport the iron rods to Gayatri Enterprises, Allahabad and Jagdamba Traders, Pratapgarh and instead of that he transported the same to Barachatti, district Gaya, Bihar.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant is in jail

since 24.11.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.50,000/- with one local surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge