

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 684 of 2020

- Dileshwar Prasad Yadav S/o Samaylal Aged About 29 Years
Occupation - Driver, R/o Village Rampur, Police Station Patna,
District Koriya Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through The S.H.O. Police Station
Surajpur, District - Surajpur Chhattisgarh

---- Respondent

For Applicant : Shri Ashok Kumar Shukla, Advocate
For Respondent/State : Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

20/03/2020

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. 418/2019 registered at police station Surajpur, district Surajpur (CG) for the offence punishable under Sections 420,467,468 and 471/34 IPC.

As per prosecution case, it is alleged that on receiving information, the police raided and arrested the applicant and two drivers for dumping the coal loaded truck at Industrial area, Nainpur instead of Raigarh.

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

driver and similarly placed co-accused have been granted bail by this Court in M.Cr.C. Nos.7774/2019 and 413/2020 vide order dated 21.01.2020 and therefore the present applicant may also be granted the benefit. He submits that the applicant is in jail since 01.11.2019; charge sheet has been filed 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.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge