

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1017 of 2020**

- Manoj Kumar Tamta S/o Girish Tamta Aged About 40 Years R/o Lob, Police Station-Kathpudiya, District- Bageshwar (Uttarakhand), At Present R/o Chhote Atarmuda, Near Gas Godown, Police Station- Chakradharnagar, Tahsil And District- Raigarh, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Offecer, Police Station-Punjipathra, District-Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ashish Gupta, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07/02/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 232/2019 registered at Police Station-Punjipathra, District - Raigarh (C.G.) for the offence punishable under Sections 420, 411, 120-B read with Section 34 of the IPC.
2. The brief facts of the prosecution, is that, the applicant along with the other co-accused persons, has unloaded the coal from Jaybhole Coal Depot to his coal depot and transported substandard coal to N.T.P.C., Lara. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 10.01.2020, there is no likelihood of his case being decided in

near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the applicant is in jail since 10.01.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**