

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1005 of 2020**

- Aalenbi Ansari S/o Hafij Ansari, aged about 19 years, R/o Karwa Pahad, Police Station Dhudki, District Gadhwa (Jharkhand)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police of Police Station Urga, District Korba (C.G.)

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent	:	Shri Sudeep Verma, Dy.G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****28/05/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.12/2020 registered at Police Station - Urga, District Korba (C.G.) for the offence punishable under Sections 420, 406 read with section 34 IPC.
2. The prosecution story, in brief, is that the applicant is a driver and he was given coal of superior quality for delivering it to the respective destination, but it is alleged that he supplied the substandard coal. Based on this, offence has been registered. The present applicant has been taken into custody on 22.01.2020.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He also submits that the applicant is in custody since 22.01.2020, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 22.01.2020, charge sheet has been filed and there is no likelihood of his case being decided in near future, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till final disposal of the trial.
9. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge