

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.246 of 2020

- Jaspal Bagh, S/o Late Madhusudan Bagh Yadav, Aged About 54 Years, R/o Kalika Nagar Tifra, Police Station Sirgitti, District Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Hirri, Civil and Revenue District Bilaspur, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri N. K. Jaiswal, Advocate
Shri Ravish Verma, Dy. AG

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

14/07/2020

1. The applicant has preferred this bail application under Section 438 of CrPC, as he is apprehending his arrest in connection with Crime No.13/2020, registered at Police Station Hirri, District Bilaspur (C.G.), for the offence punishable under Section 407 read with Section 34 of IPC.
2. Driver Umesh Yadav was carrying 34,000 liters of diesel in tanker vehicle bearing registration No.CG10-MH-3321. At Village Amsena, the said driver and the present applicant removed 300 liters of diesel and mixed kerosene oil of the same quantity in the tanker.

3. The driver has already been released on regular bail. Recovery of diesel has not been made from the house of the present applicant. The total value of the diesel removed from the tanker is around Rs.22,000/- to 24,000/-.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the nature of allegation, this Court is inclined to extend the benefit of anticipatory bail to the applicant. Accordingly, the bail application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with the following conditions:-
 - (i) he shall make himself available for interrogation by a police officer as and when required.
 - (ii) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.
 - (iii) he shall not influence the witnesses during pendency of the trial.

Sd/-
Prashant Kumar Mishra
Judge

Nirala