

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1262 of 2020**

- Pradeep Kashyap, S/o Shukla Prasad Kashyap, Aged About 35 Years, R/o Village Tulsi Near Sai Mandir Tilda, Post- Nevra Tahsil Tilda, District- Raipur Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through The Station House Officer, P.S. Purani Bhiali 03, District- Durg Chhattisgarh.

---- Respondent

For Applicant	: Mr. Umesh Verma, Adv.
For Respondent/State	: Mr. H. S. Ahluwalia, Addl. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20.03.2020**

1. The matter was fixed for urgent hearing on 20.03.2020 but with the consent of both the parties matter is heard finally today.
2. 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. 24/2020 registered at Police Station-Purani Bhiali 03, District- Durg, (C.G.) for the offence punishable under Sections 407, 411, 34 of I.P.C.
3. The prosecution story, in brief is that, a truck was carrying 30 tones 370 Kgs of MT Sponge Iron amounting to Rs. 5,00,000/- from Monnet Ispat Raigarh to Nutan Ispat Siltara Raipur. The work of transportation was given to one Banjari Road Line, Raigarh. Thereafter when the consignment did not reach the destination, the complainant was informed that his goods have been embezzled. Based on that, offence has been registered against the present applicant.

4. 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 present applicant has no any previous criminal record of the similar nature. The applicant is in jail since 26.01.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as 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.
8. 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