

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2290 of 2020

- Harkamal Singh, S/o Surendra Singh, Aged About 40 Years R/o - Kripal Nagar, Kohka, Bhilai, Police Station Vaishali Nagar, Supela Bhilai, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through - District Magistrate Durg, Station House Officer, Police Station Nandani Nagar, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

 For Applicant : Shri B.P. Singh, Advocate
 For Respondent/State : Ms. Akansha Jain, Dy. G.A.

Hon'ble Smt.Justice Rajani Dubey
Order On Board

29.5.2020

1. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.43/2020, registered at Police Station Nandani Nagar, District Durg(CG) for the offence punishable under Sections 420, 467, 468, 471 of the IPC.
2. As per the case of prosecution, the complainant lodged a report that the applicant was operating the Truck bearing No. CG07 BN3279 and CG11 AB8369 by using unauthorized registration number of RTO and as well as carrying the forged documents of those vehicles.
3. Learned counsel for the applicant submits the applicant is innocent and he has not committed any offence. He submits

that the applicant is the valid owner of the vehicles. He further submits that the offence is triable by Magistrate and the applicant is in jail since 11.2.2020 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Perused the entire material available on record.
6. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the offence is triable by Magistrate and charge sheet has been filed and further considering that trial may take some for its final disposal, I am of the opinion that present is a fit case to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the 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 23.3.2020 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.

10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE

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