

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 5557 of 2020

- Brijesh Singh S/o Shri Deepnarayan Aged About 32 Years R/o Shanti Nagar, Dipka Ps Dipka District Korba, Chhattisgarh. ---- **Applicant**

Versus

- State of Chhattisgarh Through- Sho Koni, Bilaspur, District Bilaspur, Chhattisgarh. ---- **Respondent**

For Applicant	:	Shri Dhiredra Pandey, Advocate
For State	:	Shri Dinesh Tiwari, Dy.G.A.

Hon'ble Shri Justice Manindra Mohan ShrivastavaOrder On Board29/10/2020

1. Heard on application for grant of bail.
2. The applicant has been arrested on 22.07.2020, on the allegation of having committed offence under Sections 407, 408 of I.P.C. He moved this application for grant of bail in connection with Crime No.20/2019, registered at Police Station- Koni, District- Bilaspur (C.G.).
3. Prosecution case is that the applicant was transporting 26 tons of coal and diverted the coal and took into another place and thus he committed breach of trust.
4. Learned counsel for the applicant would argue that the allegations against the present applicant is false, he has not committed any offence, merely because some diversion in the route, it cannot be said that the applicant committed breach of trust. He would further submit that investigation is complete, charge-sheet has been filed and the applicant is in jail since 22.07.2020, therefore, at this stage, he may be granted bail.
5. On the other hand, learned State Counsel opposes the prayer for grant of bail and submits that the applicant was entrusted huge quantity of coal, approximately 26 tons which were being transported to the particular

destination and the applicant diverted the route towards another place, therefore, prima-facie case is made out.

6. I have heard learned counsel for the parties and considering the nature of allegations, volume of the coal and its value and that investigation is complete, charge-sheet has been filed, the applicant is in jail since 22.07.2020, at this stage, it is a fit case for grant of bail.
7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on bail, on his furnishing a personal bond in the sum of Rs.25,000/- with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that-
 - a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) The applicant shall not in any manner, tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge