

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5711 of 2020

Jai Singh Sahu S/o Late Shri Milan Sahu Aged About 42 Years R/o Nagar Nigam
Tahsil And District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station City
Kotwali, District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondent

For Applicant	:	Shri K.K. Pandey, Advocate
For State	:	Shri Dinesh Tiwari, Dy. Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

19/10/2020

Heard.

1. The applicant is arrested in connection with Crime No.518/2020 registered in Police Station – City Kotwali, District -Raigarh (CG) for alleged commission of offence under Section 379 IPC.
2. Case of the prosecution, in brief, is that the applicant committed theft of five litres of diesel.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and false seizure has been prepared. It is also submitted that the investigation is complete, charge sheet has been filed and the applicant is in jail since 25.7.2020, therefore, at this stage, he may be granted bail.
4. On the other hand, learned counsel for the State opposed the bail application by submitting that recovery has been made from the applicant, therefore, a prima facie case is made out against him.

5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the nature of allegation, quantity of diesel alleged to have been looted, considering that the investigation is complete and charge sheet has been filed, I am inclined to allow the application.
6. The application is accordingly 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/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:-
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Manindra Mohan Shrivastava)
Judge