

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5647 of 2020**

- Sushant Kumar Panigrahi S/o Gopeshwar Panigrahi, Aged About 50 Years
R/o Civil Township H.No. 7 Rourkela, (Odisha)

----Applicant**Versus**

- State Of Chhattisgarh Through Thana In-Charge, PS Chakradhar Nagar,
District Raigarh Chhattisgarh

---- Respondent

For Applicant	:	Shri Rajendra Tripathi, Advocate
For State	:	Shri Gagan Tiwari, Dy. Govt. Adv.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****09/10/2020**

Heard.

1. The applicant has been arrested in connection with Crime No.01/2020 registered at Police Station / Thana – Chakradhar Nagar, District - Raigarh (CG) for alleged commission of offences under Section 41 (1-4) of CrPC & 379 of IPC.
2. Prosecution case is that 302 numbers of GI pipes valued Rs.35 lakhs were stolen from the construction site and out of this, 9 GI pipes were recovered from the possession of the applicant.
3. Learned counsel for the applicant submits that he is not involved in the alleged commission of offence and he has not committed theft and recovery of 9 GI pipes from him is false. He further submits that as the investigation is complete and charge sheet has been filed, the applicant may be granted bail.
4. On the other hand, learned State counsel opposes bail application and submits that out of 302 stolen GI pipes, 9 pipes were recovered from the possession of the applicant which *prima facie* involves him in the alleged commission of offence.

5. Taking into consideration the submission of learned counsel for the parties and the estimated value of 9 GI pipes alleged to be found from the possession of the applicant and that investigation is complete, charge sheet has been filed and the applicant is in jail since 17/07/2020, present is a fit case for grant of bail.

6. Accordingly, the 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/- along with one local surety 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) He shall not make any attempt to tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-

(Manindra Mohan Shrivastava)
Judge