

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7383 of 2020**

- Munshi Saw S/o Late Teko Saw Aged Around 46 Years Occupation Driver, R/o Jamshedpur, Humepipe District , Jharkhand

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Punjipathra, District Raigarh, Chhattisgarh

---- Respondent

For Applicant :- Mr. Hari Agrawal, Advocate
For Respondent-State :- Mr. H.S. Ahluwalia, Dy.A.G.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

10/12/2020

1. The applicant has preferred this application filed under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Istagasa No.08/2020 registered in Police Station Punjipathra, District Raigarh for the offence punishable under Section 41(1-4) Cr.P.C. read with 379 of the I.P.C.
2. Applicant has been arrested on suspicion that the vehicle bearing No. OR09Q 1690 driven by him was carrying stolen property i.e., iron scrap valued at ₹5,74,825/-.
3. Learned counsel for the applicant submits that the applicant is an

employee being driver of the vehicle owner Girish Sharma and there being no report of theft of the subject scrap, he has been unnecessarily detained by the concerned Police.

4. Learned State counsel would submit that during checking of the vehicle, the applicant could not produce the ownership of the scrap.
5. Admittedly, the vehicle and the scrap has already been given on supurdnama to the vehicle owner who happens to be the master of the applicant.
6. Considering the fact that the applicant is in jail since 14.08.2020 and also for the fact that offence is triable by JMFC, therefore, considering the length of pre-trial detention, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi