

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 2096 of 2019

Jaspal Bagh S/o Late Madhusudan Bagh Yadav Aged About 54 Years R/o House No. 157, Ward No. - 14, Kalika Nagar Tifra, P.S. Sirgitti, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer, Police Station Hirri, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ajay Kumrani, Advocate on behalf of Mr. Nitansh Kumar Jaiswal.
For Respondent/State	: Mr. Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

17/03/2020

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 184/2019, registered at Police Station Hirri, Distt. Bilaspur (C.G.) for the offence punishable under Sections 407, 34 of the IPC.
2. As per prosecution story, on 07.10.2019, co-accused of this case namely Dinesh Sinha who was a driver of the complainant, loaded 20 Kg. Litres of Diesel in vehicle bearing Registration No. CG 07 BK 6585 of the complainant from BPCL. After delivery of said diesel, a quality test was conducted wherein it was found that the said diesel was of low quality. Allegedly, co-accused adulterated in the said diesel at the yard of present applicant. On the basis of report lodged by the complainant, offence has been registered.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case only on the basis of statement of co-accused Dinesh Sinha. He further submits that there is no evidence available on record which shows that the applicant was involved in the crime in question. Hence, it is prayed

that the applicant may be granted benefit of anticipatory bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary minutely.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties. Without further commenting on merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. 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/-

(Arvind Singh Chandel)
Judge