

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8185 of 2019

- Ajambar Chauhan S/o Late Sundro Chauhan Aged About 35 Years R/o Kolai Bahal Jamga Police Station Chakardharnagar, District Raigarh, Chhattisgarh.

---- Applicant

Versus

- Sho- Rpf Post Raigarh District Raigarh, Chhattisgarh. Division Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Shri Dheerendra Pandey, Advocate
For Respondent/State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

03/02/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 10/2019 registered at police station RPF Post Raigarh, district Raigarh (CG) for the offence punishable under Section 3(a) Railway Property (Unlawful Possession) Act.

As per prosecution case, on the date of incident, when the SHO RPF was on patrolling duty, the applicant was found in possession of 3 pieces of fish plates.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the applicant is in jail since 13.11.2019 and looking to the conduct of the prosecution it

is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge