

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3082 of 2021**

- Mahesh Katle S/o Shri Dhanu Katle, aged about 27 years, profession Driver, R/o village Jevdan, P.S. & Tahsil – Kawardha (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through- P.S. Bemetara, District Bemetara (C.G.)

---- Respondent

For Applicant	:	Mr. Badruddin Khan, Advocate
For Respondent	:	Mr. G.S. Patel, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****31/05/2021**

Proceeding through video conferencing.

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Ishtagasha No. 02/2021, registered at Police Station – Bemetara (C.G.) for the offence punishable under Section 41(1+4) of Cr.P.C. and Section 379 IPC.
2. The allegation against the present applicant is that he was found transporting the scrap amounting to Rs.1,62,000/- without valid documents. Based on this, the offence has been registered against the applicant. The applicant has been taken into custody on 22.03.2021.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant is driver and was transporting the scrap on the direction of scrap owner, who is having legal license of scrap business. He has also filed the

bills having GST number (Annexure A/2). He also submits that the applicant is in custody since 22.03.2021 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the present applicant is in custody since 22.03.2021 and the disposal of case may take some time, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the application is allowed. The applicant is ordered to be released on bail on his executing a personal bond for a sum of Rs.1,00,000/- with one solvent surety for the like amount to the satisfaction of the trial Court concerned for his appearance before the said Court as and when directed till the disposal of the trial.
8. I.A.No.02/2021, for hearing during summer vacation stands disposed of.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Vacation Judge