

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3512 of 2021**

- Ramsingh Sidar, S/o Shri Barat Ram Sidar, aged about 35 Years, Occupation- Truck Driver, R/o. - Village Budiya, Police Station and Tahsil - Tamnar, District- Raigarh, Chhattisgarh.

----Applicant**Versus**

- State of Chhattisgarh, Through - S.H.O. of the Police Station Chakradhar Nagar Raigarh, Tahsil and District – Raigarh, Chhattisgarh.

----Non-applicant

For Applicant	Shri Abhishek Saraf, Advocate.
For State	Shri Anand Verma, Deputy G.A.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****20/07/2021**

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.259/2021 registered at Police Station Chakradhar Nagar, Raigarh, District Raigarh, C.G. for the offence punishable under Sections 407, 420 read with 34 of Indian Penal Code.
3. As per the prosecution case, a report was lodged by the complainant that truck bearing registration No. CG13-AD-3917 was loaded with 32 ton MS blade by Maa Mani Industries for being transported to Jay Ambe Private Limited and R.S. Steel

Industries at Urla, Raipur but the applicant in association with other co-accused by committing criminal breach of trust did not deliver the goods at the said places.

4. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that applicant is languishing in jail since 19.04.2021, charge sheet has already been filed and due to COVID-19 pandemic, conclusion of trial is likely to take some time. Therefore, applicant be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Heard learned counsel for the parties.

7. Considering the facts and circumstances of the case, the nature of allegation against the present applicant, the detention period of the applicant, who is 35 years old, charge sheet has already been filed and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and due to COVID-19 pandemic, conclusion of trial may take some time, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

- (i) he 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 from disclosing such fact to the Court,

- (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) he shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh