

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.7970 of 2020**

- Thanuram Patel S/o Shri Cherkuram Patel, Aged About 27 Years R/o Village Magarload, P.S. Magarlod (Wrongly Mentioned As Magarlodwad), District Gariaband Chhattisgarh, District : Gariyabandh, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Fingeshwar, District Gariaband Chhattisgarh, District : Gariyabandh, Chhattisgarh

---- Respondent

For Applicants: Shri Pragalbha Sharma, Advocate
 For Respondent/State: Shri Mateen Siddiqui, Dy.AG

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****28/01/2021**

Heard.

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.136/2020 registered at Police Station Fingeshwar, District Gariaband for the offence punishable under Section 379, 411, 409, 414, 407 read with Section 34 of IPC and Section 3 & 7 of the Essential Commodities Act, 1955. The applicant was arrested on 25-08-2020.
2. Case of the prosecution is that a truck carrying food grains was intercepted and it was found that the rice kept for public distribution was being illegally transported to a particular destination. The applicant has been involved in this case on the allegation that he was driver of the vehicle.
3. Learned counsel appearing for the applicant submitted that other co-accused of the case, more than one in number, have been granted bail by this Court in M.Cr.C.No.5992 of 2020 and other connected matters vide order dated 08-10-2020, M.Cr.C.No.8162 of 2020, vide order dated 02-12-2020 and M.Cr.C.No.6782 of 2020 and other connected matters vide order dated 04-12-2020, which includes owner of the vehicle and also Jitendra, who is the main accused of this case. Therefore, at this stage, when investigation is complete,

charge sheet has been filed and that the applicant is in jail since 25-08-2020, the applicant may be granted bail.

4. Learned counsel for the State/non-applicant opposes the bail application by submitting that prima facie case is made out against the applicant as the applicant is the person, who is driving the truck, in which, rice for public distribution was being illegally transported.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that co-accused of the case have been granted bail by this Court in other cases referred to hereinabove and further taking into consideration that the investigation is complete, charge sheet has been filed and that the applicant is in jail since 25-08-2020, the application is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with two local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
J U D G E