

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 9121 of 2020

- Prince Verma S/o Shri Baleshwar Prasad Verma, Aged about 36 years, Occupation Transporter, R/o Lakhanpur, P.S. & Tehsil Lakhanpur, District Surguja (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through: Station House Officer, P.S. Lakhanpur, District Surguja (C.G.)

---- State/Non-applicant

For Applicant : Shri Nishi Kant Sinha, Advocate

For Non-Applicant/State : Shri Vimlesh Bajpai, Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

18.01.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 15.11.2020 in connection with Crime No. 128/2020 registered in Police Station- Lakhanpur, District Surguja (CG) for the offence punishable under Sections 420, 406 read with Section 34 of IPC.
2. Allegation against the present applicant is that on 14.11.2020 he being the owner of truck bearing registration No. CJ 15/A C-4530 along with other co-accused who is driver of the said truck in which coal was loaded to be transported from Mahan-2 mines to Jharsuguda Plant, took the truck to Lakhanpur with intention to commit misappropriation of coal.
3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the crime in question. He also submits that the applicant is in jail since 15.11.2020 and conclusion of the trial is likely to take some time, therefore, the applicant be released on bail.
4. On the other hand, learned counsel for the State opposes the bail

application.

5. Considering the facts and circumstances of the case, the fact that the applicant has no criminal antecedents as admitted by both the counsel, he is in jail since 15.11.2020, charge-sheet has already been filed and conclusion of the trial is likely to take some time, without expressing any opinion on merits of the case, the bail application is allowed.
6. It is directed that in the event of applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- 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 not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge