

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1795 of 2020

1. Mintu Singh @ Saiyyad Jeeshan Ahmad S/o Shri Monajir Hussain Aged About 30 Years (As Per Charge Sheet), R/o Nearby Nagar Panchayat Pali, P.S. And Post Pali, District-Korba, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Police Station- Dharsiva, District-Raipur (C.G.)

---- Respondent

For Applicant

Mr. Pushkar Sinha, Advocate

For Respondent /State

Mr. Ayaz Naved, Govt. Advocate

Hon'ble Mr. Justice Prashant Kumar MishraOrder On Board01/03/2021

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.480/2018, registered at Police Station Dharsiva, Raipur (CG), for the offence punishable under Sections 420, 407, 34 of the Indian Penal Code.
2. Applicant in conspiracy with 7 other accused persons out of whom 4 are employees of SKS Ispat; 2 are drivers of 2 trucks involved in the offence; and the owner of both the trucks have allegedly loaded 31.380 MT & 31.160 MT coal from Dipka Mines of SECL for being transported to the factory premises of SKS Ispat at Siltara, however, when the weighment was done at the time of unloading the coal it was found that there is a shortage of 8.420 MT of coal in the first truck and 13.240 MT of coal in the second truck causing theft and loss of Rs.1,20,000/- to the company.

3. The present applicant is the middle man who was involved in siphoning of coal, which was found short in 2 trucks. His exact role is not mentioned in the material available in the case diary.
4. Learned counsel for the State, *per contra*, would oppose the bail application.
5. Considering the entire facts situation of the case and for the fact that the applicant's custodial interrogation does not seem to be necessary; the offences are triable by JMFC; and also considering the fact that he has no previous criminal antecedents, this Court is inclined to release the applicant on anticipatory bail.
6. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - he shall make himself available for interrogation by a police officer as and when required;
 - 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 facts to the Court or to any police officer.
 - he shall not influence the witnesses during pendency of the trial.

Sd/-
(Prashant Kumar Mishra)
Judge

Gowri