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**(2012) 01 CHH CK 0061**  
**In the Chhattisgarh High Court**  
**Case No : M. Cr. C. (A) No. 1007 of 2011**

Sop Singh

APPELLANT

Vs

State of C.G.

RESPONDENT

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**Date of Decision :** 10-01-2012

**Acts Referred:**

Criminal Procedure Code, 1973 (CrPC) — Section 438  
Penal Code, 1860 (IPC) — Section 394, 406, 414, 420, 467

**Citation :** (2012) 1 CGLJ 601

**Hon'ble Judges :** T.P. Sharma, J

**Bench :** Division Bench

**Advocate :** Ashok Verma with Mr. Gajendra Sahu, for the Appellant; Sushil Dubey, Govt. Advocate, for the Respondent

**Final Decision :** Allowed

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## Judgement

Hon"ble Shri T.P. Sharma, J.—The applicant has filed this first bail application u/s 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail as he is apprehending his arrest in Crime No.300/2011, registered at Police Station Chakarbhata, Distt. Bilaspur, for the offence punishable under Sections 394, 414, 420, 467, 468, 471 and 406 of the I.P.C. I have heard learned counsel for the parties and perused the case diary.

2. Learned counsel for the applicant submits that this is first bail application filed on behalf of the applicant for grant of anticipatory bail. No other application of this nature is pending or decided by this Court or by the Apex Court. The application is supported by the affidavit of the applicant.

3. Learned counsel further submits that aforesaid offence relating to four vehicles namely Truck No.G.G. 17H 3029 & C.G. 17 DA 1608, Scorpio No. C.G. 17 D 8100 and Safari No. C.G. 17 DA 7200 has been committed and record of the Regional Transport Officer, Jagdalpur has been tempered, but during the time of commission of alleged offence the present applicant was not posted as Assistant Regional Transport Officer, Jagdalpur and after the commission of offence he was

transferred and posted at Regional Transport Office, Jagdalpur as Assistant Regional Transport Officer, he has joined his office on 26.7.2010. The prosecution has also not collected any material against the present applicant showing his involvement in commission of offence.

4. On the other hand, learned Govt. Advocate opposes the bail application but frankly admits that the present applicant has joined on 26.7.2010 and aforesaid offence has been committed prior to joining of the applicant.

5. On due consideration of the material collected on behalf of the prosecution, without further comment, I am of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application filed u/s 438 of the Cr. P.C. is allowed. It is, therefore, directed that in the event of arrest of the applicant, if he furnishes a personal bond of Rs. 10,000/- with a solvent surety in the like sum to the satisfaction of the arresting officer, he be released on bail and if charge sheet is filed against him, then he may apply for regular bail and order shall be continued after 30 days of filing of the charge sheet.