

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C. No. 6562 of 2015**

1. Sadaram, aged about 35 years, S/o. Tibul, Caste-Satnami, Occupation-Service, posted as Peon, at Chhatrawas, Pandaria, R/o. Bairagpara, Pandaria, Police Station – Pandaria, District – Kabirdham (C.G.)

**----Applicant**

**Versus**

1. State Of Chhattisgarh, Through : Station House Officer, Police Station - Pandaria, District – Kabirdham (Chhattisgarh)

**---- Respondent**

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| For Applicant        | : Mr. D.K. Vishwakarma, Advocate   |
| For Respondent/State | : Mr. S.R.J. Jaiswal, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**02/12/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.227/2015, registered at Police Station – Pandaria, District – Kabirdham (C.G.) for the offence punishable under Section 457, 380/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant committed theft of 10 ceiling fan from the Government Girls Higher Secondary School, Pandaria and subsequently a report was made and after investigation, five fans were recovered from the possession of the applicant.
3. Learned counsel for the applicant would submit that seizure was made from the open place and not from the possession of the applicant. He would further submit that he has been falsely implicated in this case

and the charge sheet has been filed and the applicant is in jail since 14.10.2015, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard the fact that charge sheet in this case has been filed and taking into facts and circumstances of the case and further taking into the nature and gravity of the offence, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge