

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6505 of 2015

Jamshed S/o Lal Mohammad Aged About 25 Years R/o Surpal Nagar,
Thana City Banveer, Distt. Pratapgarh, Uttar Pradesh.

---- Applicant

Versus

State Of Chhattisgarh Through P.S. Kotwali, Distt. Rajnandgaon,
Chhattisgarh.

---- Respondent

For Applicant	:-	Shri Samir Singh, Advocate
For Respondent/ State	:-	Shri Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

01/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 651/2015 (wrongly mentioned in order sheet as 491/2015) registered at Police Station- Kotwali, District – Rajnandgaon (C.G.) for the offence punishable under Section 457, 380 of IPC.
2. As per the prosecution case in brief is that on 08.09.2015 a theft was committed in the shop of Aakash Gupta wherein pass book, mobile phone and pen card total amounting to Rs 2000/- was stolen. Subsequently, on the report of the complainant a case was registered and during the course of investigation police has arrested the applicant.
3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case and the charge sheet has been filed and the applicant is in jail since 25.09.2015. He further submits only on the basis of memorandum of other co-

accused, police has arrested the applicant and the applicant has not played any role for the alleged commission of offence and therefore he may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact and the allegation levelled against the applicant and considering the gravity of offence and the manner in which the offence was committed and taking into account the fact that the charge-sheet has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge