

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6504 of 2015

Bharat Joshi S/o Harishchandra Joshi Aged About 20 Years R/o Domertarai Near Sabji Mandi Raipur, P.S. Mana Camp, Distt. Raipur Civ. & Rev. Distt. Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through P.S. Sejbahar, Distt. Raipur, Chhattisgarh.

---- Respondent

For Applicant	:-	Shri Ajay Mishra, 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. 56/2015 registered at Police Station- Sejbahar, District – Raipur (C.G.) for the offence punishable under Section 379 and 411 of IPC.
2. As per the prosecution case in brief is that on 15.06.2015 a motorcycle bearing registration No. CG 07A B2997 was standing at the out side of house was stolen and on investigation the other co-accused was arrested and on the memorandum of the main accused person the motorcycle has been seized from the possession of the applicant
3. Counsel for the applicant submits that the applicant was a bonafide purchaser of the vehicle and purchased the vehicle an amount of Rs. 15,000/- and the main offence has been committed by the other co-accused 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 evidence available against the applicant and the role played. Considering the fact that the applicant was a bonafide purchaser of the vehicle and further considering the detention period of the applicant, 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