

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6541 of 2015

1. Smt. Asha Vishwakarma, W/o. Shri Suryanarayan Vishwakarma, aged about 22 years, R/o. Mangludipa, Raigarh, Tahsil and District – Raigarh (C.G.)

Permanent address : Panchvati Nagar, Mova, Raipur, P.S. Pandri, District – Raipur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the S.H.O., P.S. - Chakradharnagar, Raigarh, District – Raigarh (C.G.)

---- Respondent

For Applicant	:	Mr. R.N. Pusty, Advocate
For Respondent/State	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/12/2015

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.314/2015, registered at Police Station – Chakradharnagar, District – Raigarh (C.G.) for the offence punishable under Section 457, 380, 411 & 414 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant despite having knowledge of the fact that gold ornaments was stolen has purchased it from co-accused, Suraj Singh and subsequently the ornaments were seized from Rajesh Agrawal and Vijay Kumar Soni.

3. Learned counsel for the applicant would submit that the applicant is the bonafide purchaser of the ornaments and subsequently after purchasing the same it was sold for valuable consideration. He would further submit that charge sheet in this case has been filed and the applicant is in jail since 03.10.2015, therefore, he 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 to the facts and circumstances of the case and further taking into consideration the nature and the gravity of offence against this applicant, and further considering the fact that charge sheet in this case has been filed and the fact that the applicant is a lady and is in jail since 03.10.2015, 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