

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6723 of 2015

Vijendra Singh (wrongly mentioned as Bijendra Singh in the order sheet),
S/o. Chandra Kishore Rajput, Aged About 20 Years, R/o. Village & Post
Arjuni, P.S. & Tahsil Dongargaon, Distt. Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, P.S. Dongargaon,
Distt. Rajnandgaon (Chhattisgarh)

---- Respondent

For Applicants : Mr. Abhishek Sharma, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08/12/2015

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.238/2015 registered at Police Station- Dongargaon, District Rajnandgaon (C.G.) for the offence punishable under Sections 457, 380, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a complaint was made by Yogesh Kumar Sonkar of village Arjuni where he is carrying on a medical shop alleging that on 16.08.2015 after comparison of the stock of godown of medical shop, it was found that few basket of medicines have been stolen. Subsequently, on investigation the said medicines were recovered from the house of Sanjay Sahu. As per the prosecution, the medicines were kept in the house of Sanjay Sahu while it was jointly stolen by other co-accused namely Khilawan & Vijendra.

3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and only allegation against this applicant is that he was the owner of the Maruti Car which was used to transport the stolen medicine and the same was kept in the house of Sanjay Sahu. He further submits that considering the fact that the evidence have been collected and seizure has already been made, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the charge sheet in this case has been filed and considering the gravity of offence and the fact that the seizure has already been made and looking to the detention of the applicant as he is in jail since 20.08.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge