

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6766 of 2015

Balaram Shrivastava S/o Faguram Shrivastava, Aged About 20 Years R/o
Itwa, Police Station And Tahsil Masturi, Civil And Revenue District
Bilaspur (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Masturi, Civil And Revenue District Bilaspur (Chhattisgarh)

---- Respondent

For applicant -Smt. Savita Tiwari, Advocate.
For Respondent/State – Shri Sameer Behar, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

9/12/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 129/2015 registered in Police Station Masturi, District Bilaspur (C.G.) for offence punishable under section 457, 380 of IPC.
2. As per the prosecution case on 30/04/2015 a report was made by one Dukhbanjan Prasad Patel that gold and silver ornaments have been stolen and subsequently applicant was apprehended and from his possession on 26/09/2015 certain ornaments were recovered.
3. Learned counsel for the applicant submits that ornaments were seized on 26/09/2015 but were not identified to be that of the stolen one and weight of the ornaments which was stated to be stolen were completely different and she further submits that applicant has been falsely implicated in the case and charge sheet having been filed, applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Considering the facts and circumstances of the case and also taking into account the fact that identification has not been made of the ornaments stolen, charge sheet having been filed, without any observation on merit, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE