

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6786 of 2015

Rakesh Kumar Sahu son of Narayan, aged about 19 years, R/o Mavalipara
Dudhawa, District Kanker (C.G) ... **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer, Station House Officer,
Police Station Vishrampuri, District Kondagaon (C.G).
... **Respondent**

For the applicant	:	Mr. Govindram Miri, Advocate.
For the Respondent	:	Mr. Sameer Behar, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.12.2015

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 79/2015 registered at Police station Vishrampuri, Distt. Kondagaon (C.G) for the offences punishable under sections 457, 380 & 411 of IPC.
2. As per the prosecution case, 7 mobile phones were stolen by the co-accused and out of which, the applicant has purchased 5 mobile phones from the co-accused knowing it that it was stolen property.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and the applicant is a bona-fide purchaser for value of the goods and consequently it cannot be said that he has committed crime and he has been falsely inculpated.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Considering the allegations that the applicant has purchased the mobile phones knowing it to be stolen property and the fact that the charge sheet has already been filed and further looking to the detention period of the applicant as he is stated to be in jail since

18.10.2015, I am inclined to release him on bail.

6. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
7. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**

Rao