

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7051 of 2015

Sarwan Verma, S/o. Dhanraj Verma, Aged About 19 Years, Caste Lodhi,
R/o Vill. Acholi, P.S. & Tah. Dongergarh Civil & Rev. Distt. Rajnandgaon,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through O.P. Chichola, P.S. Churiya, Distt.
Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant : Mr. Rakesh Kumar Thakur, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/12/2015

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.146/2015, registered at O.P. Chichola, P.S. Churiya, Distt. Rajnandgaon (C.G.) for the offence punishable under Section 411 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a theft took place in the house of Malikram of gold & silver ornaments valued Rs.28,000/- and thereafter Simans was arrested and on his interrogation, it was revealed that the present applicant Sarwan has purchased the gold ornaments from the accused, therefore, he has been inculpated in this crime.
3. Learned counsel for the applicant submits that the applicant is a bonafide purchaser of gold ornaments and he purchased the same by payment of consideration. He further submits that the charge

sheet in this case has been filed and the applicant is in jail since 25.08.2015; therefore, he 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 facts and circumstances of the case and the nature of allegation against this applicant and taking into fact that the charge sheet has been filed and the applicant is in jail since 25.08.2015, I am inclined to release the applicant on 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