

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6198 of 2015

1. Lilu Vashudev, S/o. Komal Vashudev, aged about 24 years, R/o. Village – Chaurenga, Thana – Simga, District – Baloda Bazar, Bhatapara (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Station – Simga, District Baloda Bazar – Bhatapara (C.G.)

---- Respondent

For Applicant	: Mr. Sameer Singh, Advocate
For Respondent/State	: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/11/2015

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.276/2015, registered at Police Station – Simga, District - Balodabazar-Bhatapara, (C.G.) for the offence punishable under Section 454, 380 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a complaint was lodged by one Bhurwa Ram alleging that on 28.08.2015, when the he was not in home, ornaments and cash of Rs.20,000/- was stolen from his house. Subsequently, this applicant was arrested and on his memorandum, ornaments were seized from the maternal uncle of the applicant. Thereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and there is no direct evidence is

available on record against the applicant. He would further submit that offence is triable by Judicial Magistrate First Class and the charge sheet has been filed, 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. Taking into the fact the degree of allegation and further taking into the fact that the applicant is in jail since 03.09.2015 and the charge sheet has been filed, 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.

(Goutam Bhaduri)
Judge