

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6795 of 2015

1. Rakesh Kumar Sahu, S/o. Narayan, aged about 19 years, R/o. Mavalipara Dudhawa, District – Kanker (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station - Keshkal, District – Kondagaon (C.G.)

---- Respondent

For Applicant	:	Mr. Govind Ram Miri, Advocate
For Respondent/State	:	Mr. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/12/2015

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.105/2015, registered at Police Station – Keshkal, District – Kondagaon (C.G.) for the offence punishable under Section 457, 380 & 411 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant alongwith other co-accused persons committed theft of 7 pieces of mobile, charger, ear-phone and battery.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that allegation of theft of mobile has been made but the seizure is something else, which goes to prove that the applicant has not committed any crime. He would further submit that charge-sheet in this

case has been filed therefore, no further evidence is necessary. He would further submit that applicant is in jail since 18.10.2015, therefore, the counsel 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. Having regard to the fact and the degree of the offence and the nature of allegation levelled against the applicant and further taking into facts and circumstances of the case and the fact that the charge sheet in this case 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.

Sd/-
(Goutam Bhaduri)
Judge