

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6464 of 2015

Lalchand @ Lale, S/o. Rajaram Yadav, Aged About 19 Years, R/o. Yadavpara, Raipura, Police Station- D.D. Nagar, Raipur, Civil & Revenue District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station- Pandari, Raipur, District - Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sandeep Yadav, Advocate

For Respondent : Ms. Sunita Jain, 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 for grant of regular bail to the applicant who has been arrested in connection with Crime No.177/2015 registered at Police Station- Pandari, District Raipur (C.G.) for the offence punishable under Section 379/34 of Indian Penal Code.
2. As per the prosecution case, in brief, on 19.07.2015 the Motorcycle bearing No.CG-04-DW 3933 was stolen in front of Raj Chamber and thereafter the report was made. On investigation being made, this applicant was inculpated on the basis of memorandum of the another co-accused Tikam Das.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no evidence is available against this applicant except the memorandum statement. He further submits that the applicant is a student and 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 fact that the charge sheet has been filed and considering the fact that only on the basis of memorandum the applicant was inculpated and taking into account the detention of the applicant as he is in jail since 09.09.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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