

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5680 of 2015

- Niranjana Chandrakar, son of Gayaram, aged about 44 years, resident of Pusera, Police Station Pandariya, Civil and Revenue District Kabirdham, Chhattisgarh
--- Applicant

Versus

- State of Chhattisgarh through the District Magistrate/Station House Officer, Police Station – Pandariya, District Kabirdham, Chhattisgarh.

--- Respondent

For the applicant	:	Mr. Dharmesh Shrivastava, Advocate
For the Respondent	:	Mr. S. R. J. Jaiswal, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 214/2015 registered at P.S. Pandariya, District Kabirdham (C.G) for the offence punishable under Sections 457 IPC.
2. As per the prosecution story, on 30.09.2015, when the complainant woke up at about 4.00 a.m. and went to cattle room he saw that the applicant broke into the house and standing in the room of the cattle with intent to commit theft. He tried to catch hold of the applicant, but he escaped. On raising alarm, the father of the applicant and others came there to whom he narrated the incident and thereafter the matter was reported to the police station.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the offence and no case is made out against the applicant. He further submits that the applicant is in jail since 30.09.2015 and he may be enlarged on bail.
4. Learned State Counsel opposes the prayer for grant of bail.
5. Having regard to the facts and circumstances of the case and further

looking to the nature of offence and after perusal of the case diary, I am of the opinion that this is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.

6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court on each and every date given by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao