

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6059 of 2015

1. Dinesh Kumar, S/o. Shri Budhan Singh Dhruv, aged about 27 years, R/o. Village-Tamora, P.S. Bheemkhoj, Civil and Revenue District – Mahasamund (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Station House Officer, Police Station – Mahasamund, District Mahasamund (C.G.)

---- Respondent

For Applicant	: Mr. Sunil Sahu, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/11/2015

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.350/2015, registered at Police Station – Mahasamund, District Mahasamund (C.G.) for the offence punishable under Section 380 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant had stolen Pistol as well as ATM card of the security guard of Ex-minister Punam Chandraker while he was asleep. Subsequently, the report was made and the said pistol was recovered from the possession of the applicant.
3. Learned counsel for the applicant would submit that the charge sheet has been filed in this case. He would further submit that the seizure was not made in person from the applicant. He would further submit that the applicant is in jail since 21.08.2015. 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. Having regard to the fact that charge sheet has been filed in this case and nature of the allegation and taking into the fact that the applicant is in jail since 21.08.2015 and considering the pre-trial detention since the offence is triable by JMFC, 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