

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5797 of 2015

Jayant Jaiswal S/o Shri Rajendra Prasad Jaiswal Aged About 39 Years R/o Swapnpuri Apartment, Flat No. B/2, Rajarhat Road, Zigra North, 24 Pargana, P.S. Baguihati, Kolkata (W.B.).

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate Raipur, Civil And Rev. Distt. Raipur Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Amiyakant Tiwari, Advocate
For Respondent /State	:-	Mr. Neeraj Jain, Government Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

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. 27/2015, registered at Police Station – New Rajendra Nagar, Raipur, District- Raipur (C.G.) for the offence punishable under Sections 451, 380 of IPC.
2. As per prosecution case, on 18.03.2015 at about 10.45 am one Sneha Nair D/o. Shri K.S. Nair was alone in the house. On that day one unknown person came and informed that something has happened in the office of her father and requested to collect all the money and ornaments together and in pursuant to this the daughter of the victim gathered all the money and ornaments total worth of Rs. 53,000/- hide in washing machine and the unknown person had stolen the articles and fled away.

3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that the charge sheet has been filed in this case and the applicant is in jail since 21.04.2015, therefore, the applicant may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the degree of offence and the allegation level against and the fact the applicant is in jail since 21.04.2015, this Court is of the opinion, that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. 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.
8. Certified copy as per rules.

(Goutam Bhaduri)
Judge