

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5801 of 2015

Chhalu Mahanand S/o Goucharan Mahanand Aged About 30 Years
R/o Subhashpali, Sector - 6, Raurkela, Distrcit Sundergarh (Orissa)

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, P.S. G.R.P.
Raipur, District Raipur Chhattisgarh

---- Respondent

For Applicant	:	Mr. Uttam Pandey, 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. 129/2015, registered at Police Station – G.R. P. Raipur, District- Raipur (C.G.) for the offence punishable under Sections 379, 411 of the IPC
2. As per prosecution case, on 20.06.2015, the complainant Vikas Kumar was traveling in Hatia Pune Express with his family and during the course of journey, a theft of purse of his wife, in which two mobiles Adhar Card, wrist watch and the key of home and cash amount of Rs. 2500/-, was committed by unknown person for which a report was lodged at GRP Raipur. On the basis of the call details, the police has registered the case against the applicant under section 379 and 411 of IPC.
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 mobiles and the other valuable articles are purchased from the

co-accused Simanchal and the applicant is not acknowledged of the fact that the mobile was stolen from the train, 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 20.06.2015, 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