

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5851 of 2015

1. Dilip Singh Rajput, S/o. Pitambar Singh, aged about 25 years, R/o. Bajinpali, Mahrapara, Raigarh, Police Chowki Jutemil, Tahsil and District – Raigarh (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station - Kotwali, District – Raigarh (Chhattisgarh)

---- Respondent

For Applicant	:	Mr. Ashish Gupta, Advocate
For Respondent/State	:	Mr. Ashish Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/12/2015

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.658/2015, registered at Police Station – Kotwali, District – Raigarh (C.G.) for the offence punishable under Section 414 of I.P.C.
2. Case of the prosecution, in brief, is that on the memorandum of the applicant, 9 motorcycle were recovered from the applicant, however, the applicant could not produce any document and on the basis of suspicion, the motor cycle was stolen property crime was registered and the present applicant has been added for concealment of stolen property.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that no

recovery has been made from the possession of the applicant and the recovery have been made from the parking of the railway station and the place which was accessible to all. He would further submit that the charge sheet in this case has been filed and the applicant is in jail since 02.07.2015, therefore, the counsel 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 the nature of allegation and gravity of the offence, against this applicant and further taking into facts and circumstances of the case and the fact that the charge sheet has been filed, 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