NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6235 of 2015

Khem Lal Nirmalkar S/o Bhim Prakash Nirmalkar Aged About 22 Years R/o Near Jalaram Hotel, Kailash Nagar, P. S. Jamul, Tahsil And District - Durg (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Office, P. S. Jamul, District - Durg (Chhattisgarh).

---- Respondent

For Applicant	:-	Mr. Uttam Pandey, Advocate
For Respondent/ State	:-	Shri Arvind Shukla, Panel Lawyer

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 for grant of regular bail to the applicant who has been arrested in connection with Crime No.383/2015 registered at Police Station- Jamul District Durg (C.G.) for the offence punishable under Section 457 and 380 of IPC.

2. As per prosecution story, on 19.03.2015 a report was made by the complainant Manoj that a theft was committed in his house, gold ornament and other articles were stolen from his house total worth of Rs. 1,25,000/- and the theft articles were seized on the basis of memorandum of the accused from Finance Company.

3. Counsel for the applicant submits that the charge sheet has been filed and the theft was committed on 19.03.2015 and the report was made on 21.08.2015 and the identification of the gold ornaments has not been made and therefore, the applicant may be enlarged on bail.

4. Per contra, counsel for the State opposes the prayer for grant of bail.

5. Considering the total facts and circumstance of the case and particularly the period of detention, I am of the opinion that it is a fit case where the applicant can be released on 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.

Sd/-
(Goutam Bhaduri)
Judge

Santosh