

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6170 of 2015

Milap, S/o. Mansay, Aged About 55 Years, Caste Satnami; Occupation Agriculture; R/o. Village Dhangaon (Madhuban); Tahsil - Sarasiwan; Police Station Bilaigarh; District (Revenue & Civil) Balodabazar-Bhatapara, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Jaijaipur, District (Revenue & Civil) Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anand Kesharwani, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/11/2015

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.44/2015 registered at Police Station- Jaijaipur, District Janjgir-Champa (C.G.) for the offence punishable under Sections 379, 411/34 of Indian Penal Code.
2. As per the prosecution case, in brief, a theft of Tractor Trolley was occurred and thereafter it was seized on 05.07.2015 from this applicant being the purchaser of the said Tractor Trolley.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and the offence is triable by the JMFC and the applicant is the bonafide purchaser of the Tractor Trolley as he has purchased the same for a sale-consideration. He further submits that the applicant is in jail since 06.07.2015; therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the gravity of offence and the charges leveled against this applicant and considering the role played by him and further taking into fact that the charge sheet has been filed, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge