

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6332 of 2015

1. Satnam Singh @ Satte, S/o. Shri Khajan Singh, aged about 42 years, R/o. Ward No.13, Near Gurudwara, Mahasamund, P.S. & Tahsil & District – Mahasamund (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Station - Newara, Civil and Revenue District – Raipur (C.G.)

---- Respondent

For Applicant : Mr. A.S. Rajput, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/11/2015

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.114/2010, registered at Police Station – Newra, District Raipur (C.G.) for the offence punishable under Section 379, 411, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 02.06.2010 a report was made by one Santosh Kumar Verma alleging that his tractor trolley bearing No.J.P.D. 2167 was stolen which was valued at Rs.15,000/- from- Bajrang Chowk, Newra. Subsequently two of the other co-accused Akil @ Babbu Khan and Sayed Akaram were apprehended in other case of theft and on enquiry on their memorandum various theft caused it was revealed that subject tractor trolley was sold to the present applicant and one Gurumit Singh and on the basis of the

memorandum the tractor trolley was seized from the applicant.

3. Learned counsel for the applicant would submit that the charges against the applicant is under Section 411 that he has purchased the trolley for valuable consideration of Rs.35,000/-, whereas the value of the trolley was Rs.15,000/-. He would further submit that the applicant is bonafide purchaser. He would further submit that the charge sheet has been filed and considering the nature of the role played, 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 that according to the memorandum, the applicant has purchased the trolley for consideration of Rs.35,000/- and the fact that the charge sheet has been filed, the applicant is in jail since 19.10.2015, 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. C.C. today.

Sd/-
(Goutam Bhaduri)
Judge