

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6258 of 2015**

Bhupendra Kumar, S/o. Sohan Lal Thakur, Aged About 21 Years, R/o. Village - Pairi, Thana - Dongargaon, Distt. - Rajnandgaon, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through- Thana - Dongargaon, Distt. Rajnandgaon Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Samir Singh, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**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.195/2015 registered at Police Station- Dongargaon, District Rajnandgaon (C.G.) for the offence punishable under Sections 457, 380 of Indian Penal Code.
2. As per the prosecution case, in brief, a complaint was made on 09.07.2015 by the complainant that a theft of agricultural medicines was committed from the medical shop and thereafter on investigation being made, the applicant was arrested and on his memorandum the seizure of the stolen medicines was made from the other co-accused.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the charge sheet has been filed. He further submits that the applicant is in jail since

20.08.2015 and the offence is triable by the JMFC, therefore, the applicant 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 fact that the charge sheet has been filed and the seizure was made and further considering the nature of offence and the allegation leveled against this applicant, 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