

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6386 of 2015

Sonu Singh, S/o. Baldev Singh, Aged About 20 Years, R/o. Village Ragadnagal, Distt. Gurdaspur (Punjab), At Present Residence Of Village Tenda Navapara, Thana & Tahsil Gharghoda, Civil & Revenue District Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, P.S. Gharghoda, Distt. Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Kaushal Dewangan, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/11/2015

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.322/2015 registered at Police Station- Gharghoda, District Raigarh (C.G.) for the offence punishable under Section 379 of Indian Penal Code.
2. As per the prosecution case, in brief, a report was made by the complainant Tapan Mandal on 07.10.2015 that the Power Plant of T.R.N. Company was being done by BGR Company and the construction materials were kept at village Bhegari and it was found that 300 meters of copper wire was stolen and subsequently it was recovered from the possession of the applicant. Therefore, the offence has been registered.
3. Learned counsel for the applicant submits that the applicant was working in other company and due to some dispute in order to terminate him the false allegation of theft is being made. He

further submits that the seizure has already been made and there is no further evidence is required; consequently, 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 fact that the charge sheet has been filed in this case and considering the degree of allegation and taking into account the fact that the applicant is in jail since 06.10.2015, 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