

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6561 of 2015

1. Kamaluram Gota, S/o. Fagnuram, aged about 25 years, R/o. Shantinagar Narayanpur, P.S. Narayanpur, Revenue District Narayanpur & Civil District Kondagaon (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : The Police Station - Narayanpur, District – Narayanpur (Chhattisgarh)

---- Respondent

For Applicant	: Mr. P.K. Tulsyan, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/12/2015

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.75/2015, registered at Police Station – Narayanpur, District – Narayanpur (C.G.) for the offence punishable under Section 380 of the I.P.C..
2. Case of the prosecution, in brief, is that the applicant is working in the police department has stolen the pistol alongwith 10 cartridges from store room which was subsequently discovered when the counting was made.
3. Learned counsel for the applicant would submit that applicant was given a pistol alongwith that 10 cartridges were also given, however, the entry was not made. He would further submit that the applicant has been falsely implicated in this case. He would further submit that the

charge sheet in this case has been filed and after the seizure no evidence is required and the applicant is in jail since 28.07.2015, therefore, he prays that 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 and circumstances of the case and the gravity of the offence as against the allegation against this applicant, the charge sheet has been filed, no further investigation may be necessary as the seizure is made and considering the detention of the applicant, 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. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge