

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7280 of 2015

1. Rajesh Haldar, S/o. Shyam Lal Haldar, aged about 30 years, R/o. Village-Bande Bazar, P.S. Bande, Tahsil Pakhanjur, Revenue and Civil District – North Bastar, Kanker (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Police Station, Bande, District North Bastar, Kanker (C.G.)

---- Respondent

For Applicant : Mr. P.K. Tulsyan, Advocate

For Respondent/State : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/12/2015

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.65/2015, registered at Police Station – Bande, District – North Bastar Kanker (C.G.) for the offence punishable under Section 454, 380, 411/34 of I.P.C.
2. Case of the prosecution, in brief, is that a complaint was made by complainant, Smt. Radha Kaushal alleging that 36 old silver coins were stolen from her house and on enquiry it was found that the applicant alongwith other co-accused, Dipankar came to the house of the complainant and consumed drink along-with the husband of the complainant, subsequently 6 coins were recovered from the applicant.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and has not stolen the property and the same was mortgaged by the husband of the complainant. He would further submit that charge sheet in this case has been filed and

the applicant is in jail since 02.10.2015, 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 facts and circumstances of the case and taking into consideration the nature and the gravity of offence and further considering the fact that the charge sheet in this case has been filed and the applicant is in jail since 02.10.2015, 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. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge