

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5058 of 2015**

- Suresh Kumar S/o Shiv Prasad Kashyap Aged About 19 Years Caste - Kurmi, Occupation - Agriculturist, R/o Devgaon, P.S. - Dabhra, Civil & Revenue District - Janjgir Champa Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through - P.S. Dabhra, Civil & Revenue District - Janjgir Champa Chhattisgarh

---- Respondent

For Applicant	:	Mr. Sudeep Agrawal, Advocate.
For Respondent/State	:	Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice I.S. Uboweja**Order on Board****01/10/2015**

1. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 (for short, 'the Code') for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 122/2015 registered at Police Station Dabhra, District – Janjgir-Champa (C.G.), for the offence punishable under Sections 457, 380 and 411/34 of the Indian Penal Code.
2. Case of the prosecution is that the applicant is alleged to have purchased stolen property knowing it to be the stolen property and, thereby, committed the aforesaid offences.
3. Learned counsel for the applicant submits that only charge under Section 411 of the IPC has been framed against the applicant, which is punishable with imprisonment for three years or fine or both and, as such, the applicant is languishing in jail since 19.05.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Taking into consideration the facts and circumstances of the case; considering the facts that only charge for the offence under Section 411 IPC has been framed against the applicant, which is punishable with imprisonment of three years or fine or both; applicant is in jail since 19.05.2015; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
6. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

(I.S. UBOWEJA)
JUDGE