

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 92 of 2016

- Rakesh Manikpuri S/o Banshidas Manikpuri Aged About 23 Years R/o Kailash Nagar, Ward No. 2, Kawardha, P.S. & Tahsil Kawardha, Civil & Rev. Distt. Kabirdham, Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh Through District Magistrate, Station House Officer, P.S. Kawardha, Distt. Kabirdham, Chhattisgarh.

--- Respondent

For the applicant	:	Mr. Dharmesh Shrivastava, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 281 of 2015 registered at P.S. Kawardha, District Kabirdham (C.G) for the offence punishable under Sections 454 & 380 IPC.
2. As per the prosecution, on 02.10.2015 the present applicant was caught by the police and thereafter on the basis of his memorandum, one seizure was made on 03.10.2015. It was alleged that earlier to that, he committed theft on 22.07.2015 in the house of complainant Sheetal Pal wherein a laptop, charger and pen-drives were stolen. Subsequently from the possession of applicant seizure of laptop and charger was made.
3. Learned counsel for the applicant submits that the seizure witnesses Satish Singh and Rajendra Singh have been examined and they have not supported the case of

prosecution and the entire case is based on the version of the said seizure witnesses.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the statements of seizure witnesses wherein they have not supported the case of prosecution.
6. Taking into fact that the seizure witnesses have not supported the case of prosecution and looking to the detention period of the applicant as he is stated to be in jail since 16.10.2015, without any observation on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance.
8. C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**