

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2026 of 2016

Chintaram @ Nanku Sahu, S/o. Mohitram Sahu, aged about 27 years,
R/O Village Piraiya, Police Station Chakarbhatha, Civil and Revenue
District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through the Station House Officer, Police
Station Bemetara District Bemetara (C.G.)

---- Respondent

For Applicant	:-	Shri P.P. Sahu, Advocate
For Respondent/State	:-	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20.06.2016

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. 620/2015 registered at Police Station- Bemetara, District Bemetara (C.G.) for the offence punishable under Sections 457, 380/34 of Indian Penal Code.
2. Case of the prosecution in brief, is that on the intervening night 2-3/11/2015, a theft of tyre, tube and oil pouch of motorcycle were stolen for which a report was made by one Mahavir Chandrakar, subsequently on investigation it was found that the applicant along with the other co-accused have committed crime and the vehicle of the applicant was used in the alleged commission of crime.
3. Counsel for the applicant submit that the applicant has been falsely implicated in this case. He further submits that no seizure has been made from the applicant and no further evidence is required and only on the false pretext the applicant has been arrested and the

he is in jail since 20.11.2015, therefore, the applicant may be enlarged on bail.

4. Counsel for the State opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and the fact that the charge-sheet has been filed and no further investigation is necessary in this case, taking into the fact that the applicant is in jail since 20.11.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. 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 each in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-

(Goutam Bhaduri)
Judge