

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2450 of 2016**

Mohammed Salim S/o Mohammed Harun, aged about 19 years,
R/o Near Gandhi Ground Bramhapuri Raipur, Tahsil and District
Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police
Station City Kotwali Raipur, District Raipur (CG).

---- Non-applicant

For Applicant : Shri Syed Imtiaz Ali, Advocate

For Non-applicant : Shri B. Gop Kumar, Dy.A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board**31/05/2016**

(1) Heard.

(2) 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 on 29.02.2016 in connection with Crime No.379/2015, registered at Police Station City Kotwali Raipur, District Raipur, for the offence punishable under Sections 379, 34 of the Indian Penal Code.

(3) Case of the prosecution, in brief, is that the present applicant along with other co-accused have stolen automobile (Activa) amounting to Rs.12,000/- and thereby committed the aforesaid

offence.

(4) Learned counsel appearing for the applicant submits that the applicant has falsely been implicated in the instant case, he has not committed any offence. He further submits that the investigation is complete, charge-sheet has been filed and there is no criminal antecedents of the applicant and he is a student, therefore, he may be released on bail.

(5) On the other hand, learned counsel for the State opposes for grant of bail.

(6) Taking into consideration the facts and circumstances of the case, nature and gravity of the offence and the fact that the applicant is in jail since 29.02.2016, charge-sheet has already been filed, considering the sentence prescribed for the said offence, investigation is complete and no further custodial interrogation is required, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(7) Accordingly, the bail application is allowed. It is ordered that the applicant shall be released on bail on his furnishing a personal bond of Rs.20,000/- along with one surety of the like amount to the satisfaction of the trial Court. He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

(8) Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Vacation Judge

L/-