

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2919 of 2016

1. Tularam Sahu, aged about 26 years, S/o. Firanta Sahu, R/o. Village-Dundera, Shankar Nagar Chowk, Near Govind Hotel, Thana Utai, Tahsil and District- Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – D.D. Nagar, District – Raipur (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Shrawan Agrawal, Advocate
For Respondent/State	: Ms. Shobha Kashyap, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/06/2016

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.111/2013, registered at Police Station – D.D. Nagar, District – Raipur (C.G.) for the offence punishable under Section 379 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made on 09.05.2013 regarding theft of motor cycle TVS bearing No.CG-04/DR-1981. Subsequently it is alleged that on 16.03.2016, while the applicant tried to sale the vehicle, he was intercepted by the police and was arrested.
3. Learned counsel for the applicant submits that the applicant has been

falsely implicated in this case and has not committed any offence and the vehicle has not been seized from the applicant. He further submits that the applicant is in jail since 17.03.2016 and the charge sheet in this case has been filed, therefore, the applicant may be released 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.
6. Considering the facts and circumstances of the case and the fact that the applicant is in jail since 17.03.2016, charge-sheet in this case has been filed and no further investigation is required, I am inclined to release the applicant on 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