

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4121 of 2016

- Ashish Soni @ Guddu S/o Late Madanlal Soni Aged About 30 Years
Occupation - Business, R/o. - Behind Gayatri Mandir, Lormi, P/S. &
Tahsil - Lormi, District - Mungeli Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh through - Station House Officer of the P/S. -
Chakradharnagar, District - Raigarh Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Abhishek Saraf Advocate
For the Respondent	:	Mr.Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 159 of 2015 registered at P.S. Chakradharnagar, Distt. Raigarh (C.G) for the offence punishable under Sections 457, 380, 411/34 of IPC.
2. As per the prosecution case, on 16.05.2015 complainant Vijay Kumar Lakda lodged a report that in the night of 15.6.2015 some unknown persons entered into the house and committed theft of ornaments worth Rs.70,000/-. Subsequently on such report, Mohmmad Sakir, Ramprasad Verma and Mohmmad Raza were arrested and on their memorandum, it was revealed that the ornaments have been purchased by the present applicant, thereby the offence is committed.
3. Learned counsel for the applicant submits that he has been falsely implicated in this case and the ornaments have also

not been identified. He further submits that only allegation levelled against the applicant is that he has purchased the stolen articles/goods and has not committed any theft. It is further submitted that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. I have heard learned counsel for the parties and have also perused the case diary documents.
6. Considering the degree of allegations levelled against the applicant and the nature of offence and further taking into fact that that the charge sheet in this case has been filed and the applicant is stated to be in jail since 02.04.2016, 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 his 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. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE