

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4176 of 2016

- Kamlesh S/O Ramji Kashyap Aged About 20 Years R/O Biranpur, Police Chowki Dashrangpur, P.S. Pipariya, Kawardha, District Kabirdham, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Kabirdham, Chhattisgarh.

---- Respondent

For Applicants : Mr. Atnu Ghosh, Advocate

For Respondent/State : Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28-07.2016

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 on 25-05-2016 in connection with Crime No. 98 of 2016, registered at Police Station Pipariya, District Kabirdham (CG) for the offence punishable under Sections 457 & 380/34 of the IPC.
2. As per prosecution case, on 18-4-2016 a report was made by the complainant that cash Rs.1200/- and Samsung mobile phone were stolen in his house and subsequently applicant was arrested on the memorandum of co-accused Ravi Kashyap and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that nothing has been seized from the possession of the applicant and the applicant has been falsely implicated in the case on the memorandum of co-accused. He would further submit that charge

sheet has been filed, he is in jail since 25-5-2016 and no further investigation is required, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and considering the fact that the charge-sheet has been filed, and the applicant is in jail since 25-5-2016, this court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju