

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4605 of 2016

1. Lalit Choube, S/o. Shri Ram Prakash Choube, aged 19 years, R/o. Collage Chouraha, Behind Sagar Narshing Home, Rewa, P.S. - Civil Line, District – Rewa (M.P.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Officer Incharge Police Chouki Khongapani, Police Station – Jhagarakhand, District – Korla (C.G.)

---- Respondent

For Applicant	: Mr. S.S. Tekchandani, Advocate
For Respondent/State	: Mr. Neeraj Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/08/2016

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.45/2016, registered at Police Station – Jhagarakhand, Police Chowki-Khongapani, District – Korla (C.G.) for the offence punishable under Section 457, 380, 411, 414, 201, 34 of the Indian Penal Code.
2. Case of the prosecution, in brief is that a report was made by Nagendra Bahadur Singh that gold ornaments and Rs.43,649/- was stolen. Subsequently on investigation it was found that the present applicant along with daughter-in-law of Nagendra Bahadur have committed the theft and after theft the gold was deposited in the Manapuram Finance Limited and loan of Rs.59,400/- was obtained. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and there is no iota of evidence against the applicant and the ornaments were Stridhan. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 22.03.2016, therefore, the counsel prays that the applicant may be enlarged 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. Perused the case diary and the documents. Considering the facts and circumstances, the nature of offence and the degree of allegation and the fact that charge-sheet in this case has been filed and the applicant is in jail since 22.03.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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