

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4727 of 2016

Mukesh Yadav, S/o. Bediram Yadav, Aged About 22 Years, R/o. Kansa Chowk Tikarapara, P.S. City Kotwali Bilaspur, Revenue & Civil District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Tarbahar, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. P.K.Tulsyan, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22.08.2016

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 in connection with Crime No.177/2016 registered at Police Station- Tarbahar, District Bilaspur (C.G.) for the offence punishable under Section 380, 454 of Indian Penal Code.
2. As per the prosecution case, on 29.05.2016 a report was made by the complainant Sunaram Manjhi that on 27.05.2016 theft took place in his house and subsequently the applicant was arrested and from his possession one sport shoe and Rs.2000/- cash was recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case, the charge sheet has been filed and no further investigation is necessary and the recovered goods are available in the general market, therefore, the allegation

cannot be attributed to this applicant and therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances, nature of offence and degree of allegation leveled against the applicant and further considering the fact that the charge sheet has been filed and the applicant is in jail since 30.05.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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.

Sd/-
(Goutam Bhaduri)
Judge