

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4246 of 2016

1. Ankush Gupta, S/o. Narendra Gupta, aged about 22 years, R/o. Purani Basti, Pendra, P.S. - Pendra, Tahsil – Gaurela, District – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Police Station -Manendragarh, District – Korea (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Ravindra Agrawal, Advocate
For Respondent/State	: Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/08/2016

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.149/2016, registered at Police Station – Manendragarh, District – Korea (C.G.) for the offence punishable under Section 380, 34, 419 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by Suresh Kumar Goyal, who is father-in-law of Rekha Gupta alleging that on 18.04.2016 Rekha Gupta was married to son of the complainant, Sandeep Goyal and on 29.04.2016 one Vishnu came, who was introduced as relative of Rekha Gupta and thereafter in the

night, daughter-in-law of the complainant and said person, Vishnu fled away and the allegations against this applicant is that he has helped the other co-accused to come from Manendragarh to Pendra on his vehicle.

3. Learned counsel for the applicant submits that applicant has been falsely implicated in this case even the case of theft also is not made out as the properties were of the accused Rekha Gupta and no allegation have been attributed against this applicant for theft. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 07.05.2016, 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, documents as also the statement. Considering the facts and circumstances of the case and taking into the nature of offence and degree of allegation levelled against the applicant and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 29.06.2016, 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

Balram