

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5818 of 2016**

- Imran Khan S/O Iliyas Khan Aged About 21 Years R/O Aditya Nagar Behind Naveen School Quarter No. 624, Durg Bhawan Kurud, Police Station Mohan Nagar, Durg Tahsil And District Durg Chhattisgarh.

---- Applicant

**Versus**

- State Of Chhattisgarh Through The District Magistrate Durg Chhattisgarh.

---- Respondent

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For Applicant : Mr. Avinash Chand Sahu, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**27-09-2016**

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 27-6-2016 in connection with Crime No. 127 of 2016, registered at Police Station Mohan Nagar, District Durg (CG) for the offence punishable under Sections 457, 380, 411, 34 of the IPC.
2. Case of the prosecution, in brief, is that a report was made by the complainant Anil Kumar Gaud that in his in-laws' house i.e., MIG 502, Durg on 12-3-2016 theft was committed after breaking lock of the door wherein gas-cylinder, gas-stove and few of the utensils were stolen and subsequently the applicant was arrested and from his possession the said goods were recovered and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and though the goods were identified, but no documents have been filed to show that they belong to the complainant. He would further submit that the charge-sheet has been filed in the case, the applicant is in jail since 27-6-2016 and no further investigation is required, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary and documents.
6. Perusal of the case diary shows that no case is registered against the present applicant in the like nature.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact that the charge sheet has been filed and the applicant is in jail since 27-6-2016, I am inclined to release the applicant on bail.
8. 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

