HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7756 of 2015

Mangal Pardhi, S/o. Hem Singh, aged about 23 years, R/o. Village-Semariya, Police Station – Khadsara, District – Bemetara (C.G.)

---- Applicants

Versus

State Of Chhattisgarh, Through the Police Station Chhuikhadan, Distt. Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Rakesh Pandey, Advocate

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.01.2016

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.209/2015, registered at Police Station– Chhuikhadan, District Rajnandgaon (C.G.) for the offence punishable under Section 457 & 380 of IPC.

2. Case of the prosecution, in brief, is that the applicant along with other co-accused on intervening night of 27/28.07.2015 entered into the house of the complainant Thalendra Singh and committed theft of Gold & Silver ornaments. Subsequently, when the police came to know that some persons were trying to sell ornaments, they were apprehended and the Gold & Silver ornaments were seized; thereby the offence has been registered.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as the ornaments which have been seized from the applicant were neither matched in the weight

nor in the description. He further submits that the charge sheet in this case has been filed and the applicant is in jail since 19.10.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into the facts and circumstances of the case and the nature of allegations and degree of offence leveled against the applicant and further considering the fact that the charge sheet has been filed and the applicant is in jail since 19.10.2015, I am inclined to release the applicant on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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 each 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