

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7777 of 2015

Ramesh Kumar Bheel, s/o Shri Pangia Bheel, Aged about 30 years,
Resident of village Guradia, P.O. Narwali, P.S. Tanda, District Dhar
(M.P) ... **Applicant**

Vs.

State of Chhattisgarh, through P.S. Torva, District Bilaspur (C.G).

... **Respondent**

For the applicant	:	Mr. Pawan Shrivastava, Advocate.
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 99/2015 registered at Police station Torva, Bilaspur, Distt. Bilaspur (C.G) for the offences punishable under sections 457 and 380 of IPC.
2. As per the prosecution case, on 11.04.2015 when the complainant V. Natraj locked his home at 11.00 am and went to Raipur at that time the lock of his home was broken and theft was committed in his house and certain ornaments and cash total worth Rs.25,000/- were stolen. Subsequently the applicant has been arrested and thereafter recovery of ornaments and cash were made from one co-accused Nagar Sigaria.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no recovery has been made from this applicant and only on false presumption, the applicant has been arrested. He further submits that the charge sheet has been filed and the applicant is in jail since 25.04.2015

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Having regard to the facts that no recovery has been made from this applicant and the charge sheet in this case has already been filed and looking to the period of detention of the applicant as he is stated to be in jail since 25.04.2015, I am inclined to release him on bail.
6. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
7. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**