

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4046 of 2016

- Saddam S/O Fazil Aged About 25 Years R/O Kenwari Para, Pandri, P.S. Raghunath Nagar, Distt. Balrampur - Ramanujganj Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Basantpur (As Per Challan), Dist. Balrampur - Ramanujganj Chhattisgarh

---- Respondent

For Applicant : Mr. Jitendra Shrivastava, Advocate

For Respondent/State : Mr. Sumit Jhawar, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2016

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 2-5-2016 in connection with Crime No. 51 of 2015, registered at Police Station Basantpur, District Balrampur-Ramanujganj (CG) for the offence punishable under Section 379 of the IPC.
2. As per prosecution case, on 1-5-2016 the applicant was caught red-handed while he was taking away the iron net which was used for fencing the trees on the road side 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, charge-sheet has been filed in this case, the applicant is in jail since 2-5-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, nature 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 2-5-2016, 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 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