

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4822 of 2016

- Bhupendra Kumar Sahu S/O Nehrulal Sahu Aged About 24 Years
R/O - Village - Kosrangi, Thana Kharora, District - Raipur
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through S. H. O. , P. S. - Kharora Raipur
Chhattisgarh

---- Respondent

For Applicant : Mr. Vikram Singh, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23-08-2016

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 26-5-2016 in connection with Crime No. 179 of 2016, registered at Police Station Kharora, Raipur (CG) for the offence punishable under Sections 457 and 380 of the IPC.
2. Case of the prosecution, in brief, is that on 25-5-2016 a report was made by the complainant Purnima Bai that some silver and gold ornaments were stolen from her house and subsequently it was found that the applicant along with other co-accused has committed theft in the house and the applicant is son of her brother-in-law and subsequently said recovery was made from the possession of the applicant.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and seized articles were not mixed with other articles for identification. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 26-5-2016 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 perused the case diary and documents.
6. Perused the statement of the complainant which would show that the applicant was in close relation of the complainant..
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 26-5-2016, 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