

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7536 of 2015

Ramesh Dev @ Fagu S/o Gopal Sahu Aged About 28 Years R/o
Village Khuteri, Thana & Tahsil Pithoura, Civil & Rev. Distt.
Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Pithoura, Civil & Rev. Distt. Mahasamund, Chhattisgarh.

---- Respondent

For applicant - Shri Sunil Sahu, Advocate.
For Respondent/State – Miss. Sunita, Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 01/2015 registered in Police Station Pithoura, Distt. Mahasamund (C.G.) for offence punishable under section 41 (1-4) of Cr.P.C. and Section 457, 380 of IPC.
2. As per the prosecution case theft of submersible pump was reported by one Ramesh two years back from 2015 which was installed in the field. Subsequently, when one of the co-accused namely Vakalat Singh @ Amar Singh was arrested on his memorandum the said submersible pump of 3 HP was recovered from possession of this applicant.
3. Learned counsel for the applicant submits that incident was of year 2013 and after two years only on the basis of memorandum statement accused have been inculpated. He submits that charge sheet in this case has been filed and therefore, the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the fact that incident was of year 2013 and FIR was made on 5/08/2015 and after three years offence has been correlated with the recovery made. Taking into account gravity of charge and the fact that charge sheet has been filed, applicant is in jail since 5/08/2015, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE