

HIGH COURT OF CHHATTISGARH, BILASPUR

M. CR. C No. 173 of 2016

Bhushan Sahu S/o. Nemu Sahu, aged about 20 years, resident of Ram Nagar, Kota Raod, Near Jai Sai Vidya Mandir, Rupali Beauty Parlor, Police Station Gudhiyari, District- Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Khamtarai, District Raipur (C.G.)

---- Respondent

For Applicants	:-	Mr. Umesh Pandey, Advocate
For Respondent/ State	:-	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/01/2016

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. 313/2015 registered at Police Station- Khamtarai, District Raipur (C.G.) for the offence punishable under Sections 451,380,34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that, a complaint was lodged by Sujata Sen, at Police Station Khamtarai, alleging that some unknown persons entered into her residential house and after breaking upon of lock has stolen cash of Rs. 20,000/- and gold ornaments. Thereafter, a report was made against this applicant and on the basis of the above report, the offence punishable under sections 451,380,34 of IPC was registered against the applicant. Subsequently, on the basis of memorandum statement of the other co-accused the applicant has been arrested.

3. Counsel for the applicants submits that no evidence is available against this applicant and he has been falsely implicated in this case. He further submits that the charges sheet has been filed and the applicant is in jail since 14.09.2015, therefore, he may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact and the nature of offence and the degree of allegations levelled against this applicant and the fact the charge sheet in this case has been filed and the applicant is in jail since 14.09.2015, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge