

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 336 of 2016

1. Saurabh Singh @ Shyam, S/o. Heeramani, aged about 19 years, R/o. Nawagaon (Rampur), Thana Chhuikhadan, District – Rajnandgaon (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Than-Khamahriya, District – Bemetara (C.G.)

---- Respondent

For Applicant : Mr. Samir Singh, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/01/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.213/2015, registered at Police Station – Than-Khamahriya, District – Bemetara (C.G.) for the offence punishable under Section 380, 457 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by Babarao Thakre that he has taken a contract of electrification in rice mill has slept in the rice mill after discharging the job alongwith other workers at that time some unknown person committed theft of motor cycle, mobile phone and cash.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that only cash was recovered and the motor cycle was recovered from open place and therefore, the applicant can not be held liable for the offence. He would further submit that charge-sheet in this case has

been filed and the applicant is in jail since 17.11.2015, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case, the degree of allegation levelled against this applicant and the fact that charge-sheet in this case has been filed and the applicant is in jail since 17.11.2015, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge