

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7328 of 2015

1. Homnarayan Dadsena, S/o. Aatma Ram Dadsena, aged about 35 years (not mention in the cause title), R/o. Village-Kurkula, Police Station Bilaigarh, Civil and Revenue District – Balodabazar (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Police Station City Kotwali, Civil and Revenue District – Bilaspur (C.G.)

---- Respondent

For Applicant	:	Mr. P.P. Sahu, Advocate
For Respondent/State	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/01/2016

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.59/2012, registered at Police Station – City Kotwali, District – Bilaspur (C.G.) for the offence punishable under Section 406 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the law books were given for binding to the applicant worth Rs.1,77,329/- and loose parts were taken away, however, it was not given back by the applicant and thereafter he remained absconded.
3. Learned counsel for the applicant would submit that charge sheet in this case has been filed and no further evidence is required and the evidence which is already recorded are documentary in nature. He would further submit that the applicant has also delegated the work of

binding to the binders and the binders has not given back to him. He would further submit that the applicant is in jail since 10.07.2015 and therefore, 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. Taking into the facts and circumstances of the case, the degree of allegation levelled against the applicant and the fact that charge-sheet in this case has been filed and further taking into the fact that the applicant is in jail since 10.07.2015, 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