

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2429 of 2016

- Rajkumar Seth, S/o. Shri Ram Jeevan Seth, Aged About 52 Years, R/o. Ramnagar, Post Office & Police Station- Meja, District Allahabad, Uttar Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh, Through the Station House Officer, Police Station- City Kotwali, District Raipur, Chhattisgarh.

---- Non applicant

For Applicant : Shri Shivendu Pandya, Advocate

For Non applicant : Shri Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

19/05/2016

1. The applicant has preferred this bail application for grant of bail as he has been arrested in connection with Crime No.12/2016, registered at Police Station- City Kotwali, District Raipur (C.G.) for the offence punishable under Section 379 of Indian Penal Code.
2. As per the prosecution case, the applicant has allegedly committed theft of five pairs of gold ear rings and five pieces of gold chain, total amounting to Rs. 3 Lacs from Jewellery Shop of the complainant Rajendra Agrawal.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he is in jail since 04.03.2016, therefore, he may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail and would submit that two more cases of similar nature are registered against the applicant.
5. Considering the nature of allegation and the fact that the applicant is in jail since 04.03.2016, the offence is triable by JMFC and the charge sheet has already been filed, 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 and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.1,00,000/- with two local sureties for the like amount to the satisfaction of the trial Court. The applicant shall appear before the concerned Police Station at 11 A.M. on first Sunday of every month during pendency of trial.

Sd/-
Vacation Judge
(Prashant Kumar Mishra)

Ashok