

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2908 of 2016

1. Sahdev Sahu S/o Kanwal Sahu Aged About 40 Years R/o Village Koliyari, Post Office & Police Station Bhakhara, Tahsil Kurud, District Dhamtari, Chhattisgarh.
2. Tamradhwaj Sahu S/o Maniklal Sahu Aged About 20 Years R/o Village Bhendsar, Post Office & Police Station Bhakhara, Tahsil Kurud, District Dhamtari, Chhattisgarh. – **Petitioners**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Kurud, District Dhamtari, Chhattisgarh.

---- Respondent

For the applicant	:	Mr. Shivendu Pandya, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 539/2015 registered at P.S. Kurud, District Dhamtari (C.G) for the offence punishable under Section 379/34 IPC.
2. As per the prosecution case, certain complaint was made by one S.K. Chandrakar that he has left one crusher machine in the area of Anand Tiwari which was stolen in the intervening night of 16th/17th November 2015 and thereafter the crusher machine was recovered from the possession of this applicant.
3. Learned counsel for the applicant submits that the charge sheet has been filed; the applicant is in jail since 30.11.2015 and no further evidence is required, therefore, the investigation is complete and the applicant may be enlarged

on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Considering the fact that the offence is triable by the JMFC, the charge sheet in this case has been filed and looking to the period of detention of the applicant as he is stated to be in jail since 30.11.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**