

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3204 of 2016

Ganesh Soni @ Ramesh Rakendra, S/o. Kishan Lal Soni, Aged About 28 Years, R/o. Jagannath Chowk Gautam Mohalla, Jalfa Ward, P.S. Kotwali Katni Revenue & Civil District Katni (M.P.).

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Sarkanda, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. P.K.Tulsyan, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/06/2016

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.696/2015 registered at Police Station Sarkanda, District Bilaspur (C.G.) for the offence punishable under Section 457, 380, 411/34 of Indian Penal Code.
2. As per the prosecution case, in between 16.12.2015 to 21.12.2015 a theft was committed in the house of Pradeep Katakwar and the gold chain, cash and some silver ornaments were stolen which was worth Rs.43,700/- and on a report being made, Shrijan Sharma and Vipin Patel were arrested and on their memorandum it was stated that the articles were sold to this applicant.
3. Learned counsel for the applicant would submit that only the allegations of purchase of theft articles are alleged against this applicant. He further submits that the charge sheet has been filed

and the chain has not been identified, therefore, under the facts and circumstances of the case, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of offence and the degree of allegation and further considering the fact that the charge sheet has been filed and the applicant is in jail since 03.03.2016, 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