

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4239 of 2016

1. Ashish Soni @ Guddu, S/o. Late Shri Madanlal Soni, aged about 30 years, Occupation-Business, R/o. Behind Gayatri Mandir, Lormi, P.S. & Tahsil – Lormi, District – Mungeli (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station-Chakradharnagar, District – Raigarh (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Abhisek Saraf, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/08/2016

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.327/2014, registered at Police Station – Chakradharnagar, District – Raigarh (C.G.) for the offence punishable under Section 457, 380, 411/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 19.11.2014 some theft took place in the house of Dr. Rajeev Lochan Singhaniya and certain gold ornaments were stolen. It is the case of the prosecution that the applicant had purchased the gold ornament from the person, who has stolen the same. Subsequently, the ornaments were recovered from the possession of the applicant.

3. Learned counsel for the applicant submits that the applicant deals with the business of goldsmith and he has purchased the goods after payment of the amount. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 02.04.2016, 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.
6. Considering the facts and circumstances of the case, the nature of offence and the degree of allegation levelled against the applicant and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 02.04.2016, 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