

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4170 of 2016

- Bittu @ Chian Kumar Verma S/o Mr. Radheshyam Verma
Aged About 20 Years R/o Shrinagar, Khamtra, Tehsil &
District Raipur, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through the Police Station Khamtarai,
Raipur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Raza Ali, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.07.2016

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. 7/2016 registered at P.S. Khamtarai, Raipur (C.G) for the offence punishable under Sections 392 of IPC.
2. As per the prosecution case, on 03.01.2016 a report was made by Dulari Sahu that while the complainant was selling the vegetables at weekly market of Bhanpuri area, the applicant tried to snatch the chain and he was caught red handed. Subsequently the chain was recovered from the packet of cumins at the instance of the applicant.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and the recovery in this case would show that the chain was recovered from the place of market, therefore, it cannot be stated that the applicant has committed the offence. He further submits that the charge sheet in this case has been filed, no further investigation is necessary and the applicant

is in jail since 04.01.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the documents and also the seizure which appears to be on the same day near the market.
6. Considering the facts and circumstances of the case especially considering the fact that the charge sheet in this case has been filed; no investigation is necessary and looking to the period of detention as the applicant is stated to be in jail since 04.01.2016, I am inclined to allow this bail application.
7. 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