

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4729 of 2016

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, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer of the P.S. Chakradharnagar, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Abhishek Saraf, Advocate

For Respondent : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22.08.2016

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.366/2015 registered at Police Station- Chakradharnagar, District Raigarh (C.G.) for the offence punishable under Section 457, 380, 411/34 of Indian Penal Code.
2. As per the prosecution case, theft took place in the house of the complainant Sohan Pangraha in the intervening night of 23/24.10.2015 and the ornaments valued at Rs.92,500/- were stolen. Subsequently, one of the accused Mohammad Sakir was arrested and on his memorandum that the present applicant has purchased the gold ornaments from him, the ornaments were recovered from the possession of the applicant.
3. Learned counsel for the applicant would submit that the applicant deals in the business of Goldsmith and he had purchased the

goods after payment of the amount. He further submits that the charge sheet has been filed and no further investigation would be necessary and the applicant is in jail since 02.04.2016, therefore, he 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, nature of offence and degree of allegation leveled against the applicant and further considering the fact that the charge sheet has been filed and the applicant is in jail since 02.04.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge