

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C. No. 4686 of 2016**

1. Subham Pandey @ Raja Pandey, S/o. Late Shri Jugal Kishor Pandey, aged about 26 years, R/o. Irrigation Chowk Darri, Police Station – Darri, District – Korba (C.G.)

----Applicant

**Versus**

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Darri, District – Korba (Chhattisgarh)

---- Respondent

---

|                      |                                   |
|----------------------|-----------------------------------|
| For Applicant        | : Mr. Awadh Tripathi, Advocate    |
| For Respondent/State | : Mr. Anant Bajpai, Panel Lawyer. |

---

**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**19/08/2016**

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.64/2016, registered at Police Station – Darri, District – Korba (C.G.) for the offence punishable under Section 457, 380, 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 12.06.2016, the applicant along with other co-accused has committed theft in the wine shop at Darri worth Rs.35,000/- and on the basis of CCTV footage, the applicant has been apprehended.
3. Learned counsel for the applicant submits that the applicant is the student of ITI and charge-sheet in this case has been filed and the applicant is in jail since 12.06.2016 and no further investigation is necessary and taking in the nature of allegation, 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 leveled against the applicant and further considering the fact that charge-sheet in this case has been filed and he is in jail since 12.06.2016, 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