

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7321 of 2015

1. Prafull Mahod, S/o. Baburao Mahod, aged about 23 years, R/o. C H 1167 Dhaba Bhawan Kurud, Police Station – Jamul, Tahsil and District- Durg (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the District Magistrate, Durg, Tehsil and District -Durg (Chhattisgarh)

---- Respondent

For Applicant	:	Mr. Goutam Khetrapal, Advocate
For Respondent/State	:	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/01/2016

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.331/2015, registered at Police Station – Jamul, District – Durg (C.G.) for the offence punishable under Section 457, 380 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by the complainant that a theft was committed in his house and gold ornament and other articles were stolen from his house total worth Rs.1,25,000/- and theft articles were seized from the present applicant also.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that the similarly placed co-accused in this case has been released on bail by

this Court in M.Cr.C.No.5856/2015 vide order dated 30.11.2015 and would submit that case of the present applicant is similar and therefore, prays that the applicant may also be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, after verification do not dispute the fact that similarly placed co-accused has been released on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the fact that similarly placed co-accused has been released on bail by this Court in M.Cr.C.No.5856/2015 vide order dated 30.11.2015, I am inclined to release the applicant 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