

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5062 of 2016

- Tekram S/o Ganesh Ram Lohar Aged About 20 Years R/o Village Bisahu Tola, Police Station / Out Post Chichola, Tahsil Chhuriya, District Rajnandgaon, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Chhuriya, District Rajnandgaon, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Abhishek Sharma, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

31.08.2016

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. 93/2016 registered at P.S. Chhuriya, Distt. Rajnandgaon (C.G) for the offence punishable under Sections 379 & 34 of IPC.
2. As per the prosecution case, a report was made by the complainant Suresh Kumar that on 10.05.2016 the applicant alongwith other accused has committed theft of 5 buffaloes from his courtyard and subsequently on a report being made, the same were recovered from the possession of the applicant and other accused, thereby the offence was committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and similarly placed co-accused Shrawan Kumar and Sahdev have been enlarged on bail by this Court in M.Cr.C.No.3529 of 2016 on 12.07.2016, therefore, the present applicant may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that similarly placed co-accused have been enlarged on bail by this Court.
5. Perused the case diary and other documents.
6. Considering the facts that the charge sheet in this case has been filed and the applicant is in jail since 25.5.2016 and further considering the fact that similarly placed co-accused have been enlarged on bail by this Court in M.Cr.C.No.3529 of 2016, I am inclined to release this applicant also on bail.
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