

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5910 of 2016

Kari @ Rajendra Markam S/o Baldev Markam Aged About 22 Years
R/o Durga- Nagar Near Apollo Chowk Lingiyadih Bilaspur, Police
Station- Sarkanda Bilaspur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Its Police Station- Sarkanda,
District- Bilaspur, Chhattisgarh.

---- Respondent

For applicant - Shri Ravi Maheshwari, Advocate.
For Respondent/State – Shri Sumit Jhanwar, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/10/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.316/2016 registered in Police Station Sarkanda Bilaspur Civil & Revenue District Bilaspur (C.G.) for offence punishable under sections 457, 380 r/w 34 of IPC.
2. As per the prosecution case, the applicant alongwith co-accused committed theft in the mobile shop of one Sumant Kashyap and took away mobile and other accessories total worth Rs.36,000/-. Subsequently, the applicant was arrested and the mobile and home theatre were recovered.
3. Learned counsel for the applicant submits that the charge sheet has been filed, the applicant is in jail since 10/05/2016, no further investigation is necessary. He submits that mobile have not been identified, therefore false allegations have been attributed against the applicant. He submits that similarly placed co-accused has been enlarged on bail by this court in M.Cr.C.No.4599/2016 on 22/08/2016, therefore the applicant may also be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Taking into facts and circumstances of the case, charge sheet has been filed and also for the fact that similarly placed co-accused has been enlarged on bail by this court in M.Cr.C.No.4599/2016, this court is inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE