

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6286 of 2016

1. Prakash Tiwari, S/o. Rajkumar Tiwari, aged about 18 years, R/o. Nootan Chowk, Sarkanda, Police Station Sarkanda, District – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Sarkanda, District – Bilaspur (C.G.)

---- Respondent

For Applicant	: Mr. Vinod Tekam, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/10/2016

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.466/2016, registered at Police Station – Sarkanda, District – Bilaspur (C.G.) for the offence punishable under Section 380 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Anwar Ali that the applicant has stolen Rs.550/- from his purse, which was kept in the shirt. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that this applicant has been falsely implicated in this case and no evidence is available

against him. It is further submitted that charge sheet in this case has been filed and the applicant is in jail since 19.07.2016, therefore, 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 levelled against the applicant and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 19.07.2016, 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