

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6219 of 2016

- Sandeep Soni S/O Kanhaiya Lal Soni Aged About 32 Years R/O. Bhatapara, District Balodabazar - Bhatapara Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through : The Station House Officer, Police Station Sarkanda, District Bilaspur Chhattisgarh

---- **Respondent**

For Applicant : Mr. Raghavendra Pradhan, Advocate

For Respondent/State : Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06-10-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 9-8-2016 in connection with Crime No. 482 of 2016, registered at Police Station Sarkanda, District Bilaspur (CG) for the offence punishable under Sections 392 & 411/34 of the IPC.
2. Case of the prosecution, in brief, is that on 24-7-2016 a report was made by the complainant Smt. Usha Dubey that while she was in the morning walk, at that time one boy snatched her gold chain and fled away. Subsequently, co-accused Virendra Gupta and Dharmendra Kumar @ Golu Soni and Sandeep Soni were arrested and they made memorandum statement that the applicant has purchased the gold chain for Rs.40,000/- from other co-accused and on their memorandum, gold was recovered which was melted and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, he was bona fide purchaser of gold chain and purchase was made for Rs.40,000/- and he was not aware of the fact that he has purchased the looted gold chain. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 9-8-2016 and no further investigation is required, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Taking into consideration the facts and circumstances of the case and further considering the allegations leveled against the applicant who was purchaser of gold chain for Rs.40,000/- and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 9-8-2016, this court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

