

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6308 of 2016

- Dileshwar Marawi S/o Late Ramu Marawi Aged About 22 Years R/o Village Amtara, Police Station Koni, Tahsil & District Bilaspur, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the District Magistrate, Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Ravindra Agrawal, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.10.2016

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. 219/2016 registered at P.S. Koni, Distt. Bilaspur (C.G) for the offence punishable under Sections 457, 380 & 511 of IPC.
2. As per the prosecution case, a report was made by one Devendra Kumar that in the night of 24.8.2016, the applicant entered into the house of complainant and tried to commit theft of mobile and after being spotted, he fled away.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and in fact some dispute was existing in the village as the brother of the applicant is Up-Sarpanch, consequently false allegations have been attributed to the present applicant. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary.
6. Considering the totality of facts and circumstances of the case especially the fact that the charge sheet has been filed and no further investigation is necessary and the applicant is in jail since 26.08.2016, I am inclined to allow this bail application.
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