

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6772 of 2016

Manesh Ku. Yadav, S/o. Prahalad Ku. Yadav, Aged About 19 Years, R/o. Bajaranpara Raigarh, Tahsil & District Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- City Kotwali, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vineet Kumar Pandey, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04.11.2016

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 in connection with Crime No.514/2016 registered at Police Station- City Kotwali, District Raigarh (C.G.) for the offence punishable under Section 457, 380 of Indian Penal Code.
2. As per the prosecution case, on 24.08.2016 a report was made by Preeti Devi Lakra that her purse was stolen which was having two Mobile, Aadhar Card, ATM card & cash of Rs.3000/-. Subsequently, the present applicant was arrested and from his memorandum, the goods were recovered.
3. Learned counsel for the applicant would submit that the goods though have been recovered which was available in the open market and the seized goods have not been identified. He further submits that the charge sheet has been filed and the applicant is in jail since 13.09.2016, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and taking into fact that the charge sheet has been filed and the applicant is in jail since 13.09.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge