

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6840 of 2016

- Deepak @ Ajay Sharma S/o Ram Nishad Aged About 24 Years R/o Village Pendritarai, Thana- Bemetara, Tahsil/ District Bemetara, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Thana Bemetara, Revenue/ Civil District Bemetara, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Sameer Singh, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.11.2016

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. 470 of 2016 registered at P.S. Bemetara, Distt. Bemetara (C.G) for the offence punishable under Sections 379 of IPC.
2. As per the prosecution case, on 02.09.2016 the applicant has stolen a motorcycle bearing Regn. No. C.G. 25-C/6636 which was seized on the second day from the present applicant, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicants has been falsely implicated in this case and he has not been identified as the person who has stolen the vehicle though it was alleged to have been taken in front of the present applicant. He further submits that the charge sheet in this case has been filed and no further investigation is necessary, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail. On a

specific query being made as to whether any past antecedents have been recorded against the present applicant, it is stated that no past antecedents have been recorded against him.

5. Perused the case diary and the statement of complainant.
6. Considering the fact that the vehicle was taken away in front of the complainant however no identification has been established and also taking into facts that no past antecedents of the applicant are reported and the charge sheet has been filed, I am inclined to release the applicant on regular bail.
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**