

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6976 of 2016

- Sevak Ram Patel S/o Shri Dindayal Patel, Aged About 31 Years
Caste Marar, Occupation Service, R/o Village Madwa, Police Station,
Tahsil & District Janjgir Champa Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station
Bagbahra, District Mahasamund Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Shashi Kr. Kushwaha, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.11.2016

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. 150 of 2016 registered at P.S. Bagbahra, Distt. Mahasamund (C.G) for the offence punishable under Section 379/34 of IPC.
2. As per the prosecution case, a report was made on 25.07.2016 that the applicant along-with others has stolen a Bolero Vehicle bearing Regn.No.C.G.TN-07/BJ-6263 from the premises of the complainant's Company ARSS Infrastructure Project Limited thereby the offence has been committed.
3. Learned counsel for the applicant would submit that no evidence is existing against the present applicant to connect him with the crime in question and only on the statement of Dil Singh, the present applicant has been inculpated. He further submits that the seizure has also not been made from the present applicant and the vehicle was left in abandoned condition near the petrol pump and the applicant has been

falsely implicated, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents. It appears that according to the seizure memo, the vehicle was not seized from the present applicant.
6. Taking into the nature of evidence collected by the prosecution and the seizure document, 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