

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7505 of 2016

1. Hemchand Bhaskar, S/o. Shivprasad Bhaskar, aged 20 years, R/o. Village – Guruwayindabri, P.S. - Lalpur, Tehsil – Lormi, Civil District – Bilaspur and Revenue District – Mungeli (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police of Police Station of Lalpur, Civil District – Bilaspur and Revenue District – Mungeli (C.G.)

---- Respondent

For Applicant	: Mr. Pallav Mishra, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/11/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.49/2014, registered at Police Station – Lalpur, District – Mungeli (C.G.) for the offence punishable under Section 457 & 380 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 19.02.2014 some computer was stolen from the school at Lalpur. Subsequently on investigation, the applicant was arrested in other case and it was revealed that the applicant has also committed such offence and the some part of the computers were recovered from the applicant. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and there is no evidence to show that computer which was seized was stolen and no identity has been attached, therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case, the gravity of degree of allegation levelled against the applicant and further considering the fact that the applicant is in jail since 08.10.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge