

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7775 of 2016

- Dil Singh S/o Shri Akti Singh Aged About 24 Years R/o Village Madwa, District- Janjgir, At Present R/o Bagbahara, Thana & Tahsil- Bagbahara, Civil & Revenue District- Mahasamund, Chhattisgarh ---
Applicant

Versus

- State of Chhattisgarh through The Station House Officer, Police Station- Bagbahara, Civil & Revenue District- Mahasamund, Chhattisgarh ---
Respondent

For the applicant	:	Mr. Sunil Sahu, Advocate
For the Respondent	:	Mr. Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.12.2016

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 Tekram Patel, 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 as also the fact that similarly placed co-accused Sevak Ram Patel has been enlarged on bail by this Court in M.Cr.C.No.6976/2016 on 09.11.2016, 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**