

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7941 of 2016

Sheikh Sabir, S/o. Sheikh Jamil, Aged About 41 Years, R/o. Hamid Nagar,
Tikarapara, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Office, Police Station
Rakhi, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Raghvendra Verma, Advocate

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/12/2016

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.30/2016 registered at Police Station- Rakhi, District Raipur (C.G.) for the offence punishable under Section 392/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 07.03.2016 the applicant along-with other co-accused has snatched the Mangalsutra from the complainant Pramila Sahu and fled away. Subsequently, the applicant and other co-accused have arrested and from the possession of the applicant, Mangalsutra was recovered. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the complainant Pramila Sahu and Chandrika Bai Sahu who was along-with the complainant have been examined and they have not supported the case of the prosecution, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the complainant Pramila Sahu and Chandrika Bai Sahu have not supported the case of the prosecution.
5. Perused the case diary and the statement of Pramila Sahu and Chandrika Bai Sahu, they have not supported the case of the prosecution. Taking into such fact, without any observation on merit, 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