

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5454 of 2017

Vijay Banjare S/o Laxman Banjare, Aged About 27 Years R/o 27 Kholi, Bilaspur,
Police Station Civil Line, Bilaspur (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Civil
Line, Bilaspur (Chhattisgarh).

---- Respondent

For Applicant : Shri Goutam Khetrapal, Advocate
For State : Ms. Sunita Jain, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

21/11/2017

Heard.

1. The applicant has been arrested in connection with Crime No.84 of 2017 registered in Police Station- Civil Line, District- Bilaspur (C.G.) for alleged commission of offence under Section 392/34 IPC.
2. Case of the prosecution, in brief, is that the applicant looted a mobile of the complainant.
3. Learned counsel for the applicant would submit that only on suspicion, a false seizure is shown against the applicant on the basis of memorandum of another accused in another criminal case. He submits that neither the applicant nor the mobile has been identified by any of the victim.
4. On the other hand, learned counsel for the State, opposing the bail application, submits that the applicant is alleged to have been involved in looting in three different cases. In one case, mobile phone alleged to be looted has been recovered from the possession of the applicant, therefore, prima facie

case is made out.

5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration that the applicant is in jail since 17.3.2017, investigation is complete, charge sheet has been filed and further considering that the applicant is not likely to abscond or tamper with the prosecution witnesses and considering the submission that neither the mobile has been identified by the victim nor any test identification parade conducted, the application is allowed.
6. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court, if otherwise not required in connection with any other case, with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge