

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6069 of 2017**

Mukesh Goswami, S/o. Hinglaj Goswami, aged about 24 years, R/o. Village-Devapura, Police Station – Gandai, District – Rajnandgaon (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through : the Station House Officer, Police Station – Gandai, District - Rajnandgaon (C.G.).

---- Respondent

For Applicant : Mr. Roop Naik, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**08/11/2017**

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.176/2017, registered at Police Station – Gandai, District – Rajnandgaon (C.G.) for the offence punishable under Section 379 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that applicant has been falsely implicated in this case. The case has been investigated and charge-sheet has been filed, applicant is in jail since 23.08.2017, trial of the case is likely to take sometime for its conclusion, hence prayed that the applicant be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the case of the prosecution against the applicant is that the applicant has committed offence of theft of LED TV from the house of the complainant, the same has been recovered at his instance and seized.
6. Applicant has no criminal history of offence of theft. Considering the facts and circumstances of the case and taking into consideration the fact that charge-sheet in this case has been filed and the trial is likely to take some time for its conclusion, 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. are 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge