

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6167 of 2017

Anil Kumar S/o Gajanand Kurre, Aged About 26 Years R/o Ward No.9, Khogapani, Police Station Jhagrakhand, Tahsil Manendragarh, District Koriya, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Jhagrakhand, District Koria, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Sonia Kuldeep, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer

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

Order On Board

27/11/2017

Heard.

1. The applicant is arrested in connection with Crime No.145 of 2017 registered in Police Station -Jhagrakhand, District- Koriya (C.G.) for alleged commission of offence under Section 457, 380/34 IPC.
2. Case of the prosecution, in brief, is that the applicant has stolen the gas cylinder.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated. No such offence was committed by him. He further submits that the investigation is complete and charge sheet has been filed and the applicant is not likely to abscond or tamper with prosecution witnesses, therefore, the applicant may be released on bail.
4. On the other hand, learned counsel for the State has opposed the bail application. He submits that the applicant is a habitual offender. Earlier also cases of similar nature of theft of gas cylinder have been lodged and if the applicant is released on bail, the applicant is likely to misuse liberty.
5. Taking into consideration the submissions made by learned counsel for the

parties, considering that investigation is complete, charge sheet has been filed and that applicant is not likely to abscond or tamper with the prosecution witnesses, the application is allowed.

6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court, 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 him by the said Court till disposal of the trial.

7. If the applicant is again involved in commission of similar offence, State would be at liberty to apply for cancellation of bail.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge