

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 6279 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 Koriya, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Sonia Kuldeep, Advocate
For Respondent/State	:	Smt. M. Asha, P.L. for the State

Hon'ble Shri Justice P. Sam Koshy**Order On Board****28/11/2017**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who has been arrested in connection with Crime No. 143/2017 registered at Police Station Jhagrakhand, District Koriya (CG) for the offence punishable under Sections 457 & 380/34 of IPC. The applicant is in jail since 13.09.2017.

2. The allegation against the present applicant is that he is said to have entered into the house of the complainant and stolen one empty cooking gas cylinder from his house.

3. Counsel for the applicant submits that it is a case where the applicant has been falsely implicated in the case as there was some dispute between the complainant and the applicant in respect of the food which the present applicant had prepared on some occasion in the colony where the complainant resides. He submits that the applicant is a professional cook

and because of the dispute in respect of the demand of money made by the applicant, he has been falsely implicated. Thus, prayed for grant of bail to the applicant.

4. State counsel, however, opposing the bail application submits that the applicant is in the habit of such acts and that there are other cases of similar nature levelled against him, therefore, the applicant does not deserve to be released on bail.

5. Having considered the entire facts and circumstances of the case particularly the nature of offence and the item stolen, this Court is of the opinion that prima facie, a strong case for grant of bail is made out.

6. Accordingly, the application for grant of bail is allowed. It is directed that the 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 before the said Court as and when directed.

**Sd/-
(P. Sam Koshy)
JUDGE**