

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8354 of 2016

Ratishraj Charan, S/o. Rajkumar Charan, aged about 19 years, R/o. Jarhabhata, Mini Basti, P.S. - Civil Lines, Tahsil – Bilaspur, Civil and Revenue District – Bilaspur (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : Station House Officer, Police Station – Takhatpur, Civil and Revenue District – Bilaspur (C.G.)

---- Respondent

For Applicant	:	Mr. Mirza Hafeez Baig, Advocate
For Respondent	:	Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

16/01/2017

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.54/2016, registered at Police Station- Takhatpur, District – Bilaspur (C.G.) for the offence punishable under Section 457, 380, 420, 467, 468, 471 & 201 of Indian Penal Code.
2. Case of the prosecution in brief is that a report was made by the complainant, Anish Nath alleging that in the intervening night of 14-15/02.2016, certain ornaments and house hold goods were stolen from his house. Subsequently, one Ratish Raj was arrested and it was revealed that the applicant along with other co-accused has committed the theft. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is submitted that the applicant has only been implicated on the basis of memorandum statement of co-accused. It is further submitted that charge-sheet in this case has

been filed and no further investigation is required, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the case diary and documents. Considering the facts and circumstances of the case, the nature of offence and the fact that charge-sheet in this case has been filed and the applicant is in jail since 05.10.2016, 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 Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge