

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 218 of 2017

1. Mohd. Khalid, S/o. Mohd. Yunus, aged 27 years, R/o. Anupam Nagar, Near T.V. Tower, Town, Tah. & District – Raipur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Station – Civil Lines, District – Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. Devershi Thakur, Advocate
For Respondent/State	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/02/2017

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.784/2016, registered at Police Station – Civil Lines, District – Raipur (C.G.) for the offence punishable under Section 380, 381/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by the applicant himself on 06.12.2016 that computer and 36 tablets have been stolen from the Orion Edutech Pvt. Ltd.. Subsequently, during the investigation, it was found that the applicant himself has committed theft and lodged the report and the goods were recovered from him. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and the applicant was working under one Sunita Potdar and the goods were taken away by her and

the allegations have been attributed to the present applicant. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 09.12.2016, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. No past antecedents has been reported against the applicant. Considering the facts and circumstances of the case, taking into the nature of offence and the degree of allegations levelled against the applicant, the offences are triable by J.M.F.C., charge-sheet in this case has been filed and the applicant is in jail since 09.12.2016, 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 the Cr.P.C. is 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge