

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 893 of 2017

- Satanand S/o Navalsai, Aged About 30 Years Caste- Kushwaha, Occupation- Agriculturist, R/o Village- Barhol, Police Station- Ramanujnagar, District- Surajpur Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through- Station House Officer, Police Station- Baikunthpur, District- Korea Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Sushil Debey, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.03.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.332/2016 registered at Police Station Baikunthpur, Distt. Korea (C.G) for the offence punishable under Sections 457 & 380 IPC.
2. As per the prosecution case, a report was made by complainant Mohd. Afriz that on 12.12.2016 when he came to the shop the goods kept in his shop were found stolen. Subsequently the applicant was arrested and on his memorandum, 21 mobile phones belonged to the complainant are alleged to have been seized from the accused, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that there is no evidence to the effect that the mobiles so seized belonged to the present complainant and only on presumption, the applicant has been arrested. He further submits that the charge sheet has been filed; no further

investigation is necessary and the applicant is in jail since 03.01.2017, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary. Considering the facts and circumstances of the case especially the fact that the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 03.01.2017, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in 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.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**