

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1323 of 2017

- Dinesh S/o Shri Reku Ram Nagesia Aged About 22 Years R/o Gram Dakai, Thana: Lundra, District- Surguja, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Police Station - Lundra, District- Surguja, Chhattisgarh, --- **Respondent**

For the applicant	:	Mr. Anurag Dayal Shrivastava, Adv.
For the Respondent	:	Mr. Wasim Miyan, 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. 123/2016 registered at Police Station Lundra, Distt. Surguja (C.G) for the offence punishable under Sections 457, 380/34 & 411 of IPC.
2. As per the prosecution case, on 15.11.2016 on a fair price shop the gate was found to be broken on inspection it was revealed that out of 14 quintals of rice, 63.550 Kgs., of rice was stolen. Subsequently a report was made and during investigation a memorandum was recorded whereby it was revealed that the present applicant along-with other accused have committed offence.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and only 4 empty bags have been recovered by which the applicant cannot be inculpated. He further submits that the charge

sheet has been filed; no further investigation is necessary and the applicant is in jail since 23.12.2016, therefore, the applicant 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 23.12.2016, I am inclined to release him on bail.
 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**