

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1426 of 2017

Sheikh Movin Khan, S/o. Sheikh Nazir Khan, Aged About 28 Years, R/o. Near Gandhi Chowk Kilaward, Police Station City Kotwali, Bilaspur, Tahsil, Civil & Revenue District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : The Police Station Chakarbhatha, Civil & Revenue District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Punit Ruparel, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/03/2017

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.23/2016 registered at Police Station- Chakarbhatha, District Bilaspur (C.G.) for the offence punishable under Section 381 of Indian Penal Code.
2. As per the prosecution case, a report was made by Dr. Zakir Hussain on 21.11.2015 that the present applicant who was working in a farm house had stolen hot-pots, aluminum kadai, mobile charger, gas cylinder, iron chain, air-gun, spade etc. around Rs.9000/- and thereafter the applicant was absconded and subsequently, he arrested on 08.02.2017.
3. Learned counsel for the applicant would submit that the applicant was working as a Guard in the farm house and certain goods were gifted to him by the complainant. Since the applicant all of a sudden had left the job, therefore, the false allegations have been

attributed to the present applicant, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the report made by the complainant. Considering the facts and circumstances of the case, nature of offence and the degree of allegation, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on 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.

Sd/-
(Goutam Bhaduri)
Judge