

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1666 of 2017**

Kamdev Pandey S/o Late Shri Kamlakant Pandey, Aged About 23 Years Occupation - Labour, R/o Village- Kanekera, Thana & Tahsil- Mahasamund, Civil & Revenue District- Mahasamund, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through: The Station House House Officer,
Police Station -Mahasamund, District-Mahasamund, Chhattisgarh.

---- Respondent

For applicant	Mr. Sunil Sahu, Adv.
For Respondent/State	Mr. Arvind Shukla, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****03/04/2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 94/2017 registered in PS Mahasamund for offence punishable under Section 379, IPC.
3. Learned counsel for the applicant submits that the applicant is the first offender aged about 23 years. Charge sheet has been filed and he is in custody by the order of the CJM, Mahasamund. As per allegation, on a memorandum statement, a stolen motorcycle was seized from the applicant. If bail is granted to him, he shall abide all the conditions imposed and will not commit any offence in future.
4. Learned State counsel opposes the bail application however he fairly concedes that no other criminal antecedent has been reported in the case diary.
5. Perused the case diary.
6. On due consideration, I am inclined to allow instant MCRC. Consequently, instant MCRC is allowed. The applicant is directed to be released on bail on his furnishing a personal bond in the sum of

Rs. 50,000/- with one solvent surety of the like sum to the satisfaction of the CJM Mahasamund CG for his appearance before the said Court regularly as and when directed by the said Court.

7.

8. It is made clear that this order granting bail to the applicant shall stand cancelled automatically without reference to the bench by the Court below if (i) the trial Court finds that the applicant suppressed filing or pendency of any other application for grant of bail before this court or the Hon'ble Apex Court Court intentionally, (ii) the applicant does not cooperate in the trial; (iii) the applicant is found to be involved in any offence of the like nature; (iv) the trial Court finds that the applicant remains absent without any sufficient and cogent reason. If bail is cancelled automatically in view of above, the Court below may proceed further under the provisions of law under intimation.

9. CC as per rules.

**Sd/-
(Chandra Bhushan Bajpai)
Judge**