

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3377 of 2017**

- Jagdish Basor S/o Ramdhani Basor, Aged About 46 Years R/o Lamidah Chowki, Tinugudi, Police Station Sarai, District Singrauli, Madhya Pradesh.

---- Applicant**Versus**

- State Of Chhattisgarh Through S.H.O. Police Station Manendragarh, District Korea, Chhattisgarh.

---- Non-applicant

For Applicant:
For State:

Mr. S. R. Sinha, Advocate
Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12.06.2017**

1. The present bail application has been filed under Section 439 of Cr.P.C. for grant of regular bail to the Applicant who is in jail since 27.03.2017 in connection with Crime No. 159/2016 registered at Police Station – Manendragarh, District - Korea (C.G.) for the offence punishable under Sections 457, 380, 411, 34 of the I.P.C.
2. The case of the prosecution in brief is that the present Applicant along with other accused persons alleged to have committed theft in the house of the one Rajendra Mishra and have stolen cash of Rs. 42,000/- and some gold and silver ornaments.

3. Learned Counsel for the Applicant submits that no gold or silver ornaments have been recovered from the possession of the present Applicant. Only an amount of Rs. 6000/- has been recovered which too was withdrawn from his bank account using his ATM.

4. Learned Counsel for the Applicant further submits that, in all, there were 9 accused persons of which 8 accused persons have already been granted bail. He further submits that the allegation against the present Applicant is identical to the allegation leveled against the co-accused Bitanu Basor who has been granted bail by this Court in M.Cr.C. No. 6911/2016 vide order dated 22.11.2016. Therefore, he may also be granted bail.

5. Learned State Counsel on verification of the facts from the case diary and also on perusal of the order passed by this Court in the case of the accused persons accepted the fact that the allegation against the present Applicant is similar to that of Bitanu Basor.

6. Considering the total facts and circumstances of the case particularly the fact that except for the present Applicant, all the other accused persons have already been released on bail, and also considering the fact that one of the co-accused with similar allegation has already been released on bail, this Court is of the opinion that present is also a fit case for grant of bail to the Applicant.

6. Accordingly, the present bail application is allowed. It is directed that in case if the Applicant furnishes a personal bond for a sum of **Rs.25,000/- with two sureties** of the like amount to the satisfaction of

the concerned trial Court, then he shall be released on bail. The Applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(P. Sam Koshy)
VACATION JUDGE

kishore