

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.4688 of 2017**

- Dinendra Anant S/o Prakash Anant, aged about 21 years, R/o Dhourabhatha, Police Station Hirri, District Bilaspur (C.G.).

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station Hirri, District Bilaspur (C.G.).

---- Respondent

For Applicant	: Ms. Mandvi Bharadwaj, Advocate
For Respondent/State	: Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****16.8.2017**

Heard the matter finally.

2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.40/17 registered in Police Station Hirri, Distt.- Bilaspur (CG) for the offence punishable under Sections 457, 380 & 34 of IPC.

3. Learned counsel for the applicant submits that the applicant has been arrested on 19.06.2017, after investigation, concerned police has filed charge sheet against the present applicant & Ghanshyam Mehar, Shatrughan Ghoshle, Rakesh Tandon. As per learned counsel for the applicant they had not preferred any petition

for bail. Applicant is aged about 21 years and no any criminal antecedent reported against the applicant. As per allegation, on the basis of memorandum statement, stolen Article one bucket and one big plate of brass have been seized from the applicant. He will not commit any offence in future if granted bail. He may be granted bail as the trial may take time for its final conclusion.

4. Per contra, learned counsel for the State opposes the arguments advanced on behalf of the applicant though fairly considered that there is no criminal antecedent reported against the applicant. Hence, the instant M.Cr.C. may be dismissed.

5. Perused the entire material.

6. As the applicant is in custody since 1 month, 27 days till date, charge sheet has been filed, the trial may take sometime for its conclusion; applicant is aged about 21 years; no earlier criminal antecedent has been shown in the case diary; and looking to the fact whatever seized from the applicant, I am inclined to grant one opportunity to the applicant, so that he shall not commit any similar or other offence in future.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one solvent surety of Rs. 25,000/- to the satisfaction of Judicial Magistrate First Class Bilha, Distt.- Bilaspur (C.G.), for his appearance before the said Court as and when directed. 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 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; and (iv) the trial Court finds that the applicant remains absent without any sufficient and cogent reason. If bail is cancelled automatically in view of the above, the Court below may proceed further under the provisions of law, under intimation.

Certified copy as per rules.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE