

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5627 of 2017**

- Sukritdas Manikpuri @ Chintu S/o Laxman Das Manikpuri, Aged About 20 Years R/o Near Shiv Mandir Basant Vihar Sarkanda, P. S. Sarkanda, District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Tarbahar, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	:	Shri U.K.S. Chandel, Advocate
For Respondent-State	:	Shri SRJ Jaiswal, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****23/11/2017**

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 on 01.07.2017 in connection with Crime No. 191/2017 registered at Police Station Tarbahar, Bilaspur (CG) for the offence punishable under Section 392, 34 of the I.P.C.
2. As per the prosecution case, a report was made by the victim on 29.06.2017 that while he was coming along with his wife, at that time two persons came and snatched the bag of his wife and fled away and in the bag Rs.800/- and a mobile was kept. Subsequently, the applicant was arrested on 01.07.2017 and from his possession certain currency of Rs.150/- was recovered and a mobile was also seized.
3. Learned counsel for the applicant submits that there is no evidence against

the present applicant and the alleged seized mobile has also not been identified, therefore, the applicant cannot be held guilty as no Test Identification Pared is effected, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the mobile which is seized has not been identified.
5. I have perused the documents. Considering the fact that the applicant is in jail since 01.07.2017 and the offence is triable by JMFC, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu