

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6288 of 2017**

- Rajesh Yadav S/o Shri Munnalal Yadav Aged About 25 Years R/o Village Police Station And District Raigarh, Chhattisgarh.

---- Applicant

Versus

- The State of Chhattisgarh Through The Station House Officer, Police Station- Rajim, District Gariyaband, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Dashrath Kushwaha, Advocate
For Respondent-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****14/12/2017**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 179 of 2016 registered at Police Station Rajim, Distt. Gariyaband (C.G) for the offence punishable under Section 379 and 34 of the IPC.
2. As per the prosecution case, a report was made by one Gopal Sahu that on 29.07.2016, from Satvir Kabir Traders, 35 quintals of iron rod bars were stolen. Subsequently few of the co-accused were arrested and on their memorandum it was revealed that the present applicant along with other accused has committed theft which was numbering into 8.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he has been arrested only on the basis of the memorandum statement of the co-accused. He would further submit

that the other co-accused persons have been enlarged on bail in M.Cr.C. No.7836/2016 and charge-sheet in this case has been filed, therefore, the applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have perused the case-diary documents. Considering the facts that the charge-sheet in this case has been filed and also the fact that the other co-accused have been enlarged on bail, 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