

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6451 of 2017**

Rohit Yadav, S/o. Ratnu Yadav, Aged About 22 Years, R/o. Village -Navagaon,
Thana- Khallari, Tahsil -Bagbahara and District Mahasamund, Chhattisgarh

---- Applicant**Versus**

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

---- Respondent

For Applicant : Mr. Vikash Pradhan, Advocate

For Respondent/State : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**05/12/2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.155/2017, registered at Police Station – Khallari, District – Mahasamund (C.G.) for the offence punishable under Section 379/34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that applicant has been falsely implicated in this case. According to the material placed on charge-sheet, no case is made out against him. It is further submitted that co-accused of this case has been granted bail by the

Coordinate Bench of this Court by order dated 27.11.2017, in M.Cr.C. No.6164/2017, hence prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The facts of the case are that 80 bags of cement were stolen from the construction site on 14.08.2017. On the basis of the memorandum statement of the co-accused, applicant has been made accused in this case.
6. Considering the submissions made and the contents of the case diary and further considering the fact that co-accused of this case has been granted bail by the Coordinate Bench of this Court, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge