

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7522 of 2017

1. Amandeep Tiwari @ Amani S/o Mithleshchandra Tiwari Aged About 24 Years, R/o Haldibadi Chirmiri Police Station Chirmiri, Tahsil Khadgwan, District Korea Chhattisgarh.
2. Amit Chand Gautam @ Chintu S/o Chand Mohan Singh Rajput, Aged About 32 Years, R/o Haldibadi Chirmiri Police Station Chirmiri, Tahsil Khadgwan District Korea, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Chirmiri District Korea Chhattisgarh.

---- Non-applicant

For Applicants –Shri Bharat Sharma, Advocate on behalf of Shri Manoj Paranjpe, Advocate.

For Non-applicant/State – Shri U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08-12-2017

1. This is an application filed under Section 439 of the Cr.P.C. which is first bail application before this Court filed by applicant No.1 Amandeep Tiwari @ Amani and applicant No.2 Amit Chand Gautam @ Chintu for grant of regular bail. The applicants were arrested on 26-08-2017 in connection with Crime No.335/2017 registered at P.S. Chirmiri, District Korea, C.G. for the offence under Section 379 read with Section 34 of the IPC.
2. Learned counsel for the applicants prays to withdraw the application for grant of bail filed on behalf of Applicant No.1 Amandeep Tiwari @ Amani.
3. As prayed, the application filed on behalf of Applicant No.1 Amandeep Tiwari @ Amani is dismissed as withdrawn.

4. It is submitted on behalf of applicant No.2 Amit Chand Gautam @ Chintu that this applicant is in jail since 26-08-2017. There is no previous criminal history against applicant No.2. The case is triable by the JMFC and the trial of the case is likely to take some time for its conclusion. Hence, it is prayed that applicant No.2 Amit Chand Gautam @ Chintu may be granted regular bail.

5. Learned counsel for the State/non-applicant opposes the application and submission made.

6. Heard learned counsel for the parties and perused the case diary.

7. Facts of the case are these that 30 meters of copper wire worth Rs.30,000/- were stolen from Kurasiya colliery. After lodging of the FIR the applicants and other persons were apprehended and interrogated, and at the instance of applicant No.1 and applicant No.2 the property were recovered and as alleged the recovered property is stolen property.

8. Considering the facts and circumstances of this case and the facts that no criminal history of applicant No.2 Amit Chand Gautam @ Chintu is reported and that the trial of the case is likely to take some time before its conclusion, this Court is of the considered view that applicant No.2 Amit Chand Gautam @ Chintu should be granted regular bail.

9. Consequently, the prayer made in this application by applicant No.2 Amit Chand Gautam @ Chintu for grant of regular bail is hereby allowed. It is directed that applicant No.2 Amit Chand Gautam @ Chintu 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 Court, for his appearance as and when directed.

10. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Aadil