

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8609 of 2016

- Hemant Rao @ Hemu S/o Narayan Rao, Aged About 21 Years R/o Subhash Nagar, Kukri Para, Police Station- Purani Basti, Tahsil And District- Raipur Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Police Station Purani Basti, District- Raipur Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Vimlesh Bajpai, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.01.2017

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. 375 of 2016 registered at Police Station Purani Basti, Tahsil & Distt. Raipur (C.G) for the offence punishable under Sections 457 & 380 of IPC.
2. As per the prosecution case, a report was made on 14.10.2016 by Harishankar Patel that the applicant entered into house and stolen his mobile worth Rs.4000/- and cash of Rs.15,000/-. Subsequently the applicant was arrested and from the applicant the stolen mobile and cash of Rs.10,000/- was recovered.
3. Learned counsel for the applicant would submit that he has been falsely implicated and the mobile though is alleged to have been recovered but it has not been identified and only some cash has been recovered. He further submits that the charge sheet has been filed; no further investigation is

necessary and the applicant is in jail since 17.10.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and documents. Considering the facts and circumstances of the case especially the facts that though the mobile was seized but no identity has been made; the charge sheet has been filed and no further investigation is necessary and the applicant is in jail since 17.10.2016, I am inclined to release him on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**