

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8614 of 2016

- Ramkhilawan Khare S/o Bhagwat Prasad Khare Aged About 32 Years R/o Village Navganwa, Police Station Koni, District Bilaspur, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Koni, District Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Pragalbha Sharma, Advocate
For the Respondent	:	Mr. Anant Bajpai, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.01.2017

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. 324/2016 registered at Police Station Koni, District Bilaspur (C.G) for the offence punishable under Section 457, 380 of IPC.
2. As per the prosecution case, a report was made by one Abdul Junaid that the other accused entered into office of a petrol pump and stolen an amount of Rs.2,47,225/- with the connivance of the applicant who was working in the petrol pump and subsequently from the possession of the applicant Rs.1,77,225/- was recovered whereas Rs.25000/- each was recovered from other accused.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the seizure of cash amount has been made which do not require any identification. It is also submitted that the charge sheet has been filed and no further investigation is necessary. He

further submits that similarly placed co-accused Shiv Kumar Suryawanshi @ Buttu has been enlarged on bail by this Court in M.Cr.C.No.8341 of 2016, therefore, the present applicant may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that the person against whom similar allegations were levelled has been enlarged on bail by this Court.
5. Considering the facts and circumstances of the case especially the fact that similarly placed co-accused has been enlarged on bail by this Court; the charge sheet has been filed and no further investigation is necessary and the applicant is in jail since 26.11.2016, I am inclined to release her on regular 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**