

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4687 of 2017

- Roopchand Manhar @ Shivkumar Manhar S/o Horilal Manhar Aged About 28 Years R/o Village Sarganwa, Police Station- Masturi, District Bilaspur, Chhattisgarh. --- **Applicant**

Versus

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

For the applicant	:	Mr. Awadh Tripathi, Advocate
For the respondent	:	Mr. Anupam Dubey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2017

1. This is second bail application filed u/s 439 of the Code of Criminal Procedure for grant of bail to the applicant in connection with Crime No. 29/2016 registered at Police Station Masturi, Distt. Bilaspur (CG) for the offence punishable under sections 457 & 380 read with section 34 of IPC.
2. As per the prosecution, on 16.01.2016 the applicant entered into Tahsil office of Masturi and had stolen one computer along-with keyboard, monitor etc., thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the earlier bail application was dismissed on 18.11.2016 on the ground that 9 other cases were pending against the applicant. He submits that as per Annexure -3, 9 other cases were registered u/s 116(3) of Cr.P.C., which automatically come to an end. He further submits that the applicant is in

jail since 08.07.2016 and no progress of trial has taken place, therefore, he prays for grant of bail to the applicant.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the order sheet. It appears that initially the case was fixed for evidence before the court below on 16.09.2016 and no evidence is on record.
6. Taking into degree of allegations and the period of detention of the applicant as he is stated to be in jail since 08.07.2016, I am inclined to allow this bail application at this stage
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court.

Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**