

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 3116 OF 2017

Mohd. Asif, S/o Safi Mohammad, aged about 34 years, R/o Village Maudaha, District Hamirpur, presently residing at Lucky Dhaba Kushvabahri, P.O. Bhupdevpur, Tahsil and District Raigarh (C.G.)

... Applicant

Versus

State of Chhattisgarh, through Station House Officer, Bhupdevpur, District Raigarh (C.G.)

... Non-applicant

For Applicant	:	Mr. Kishore Bhaduri, Advocate, assisted by Mr. Pawan Kesharwani, Advocate.
For Non-applicant/State	:	Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra

Order on Board

23/05/2017

1. This is the First Bail Application under Section 439 of Cr.P.C. The applicant has been arrested in connection with Crime No. 4 of 2017, registered at Police Station- Bhupdevpur, District Raigarh, for the offence punishable under Section 41(1)(d) of Cr.P.C. read with Section 379 of I.P.C., as he is found to be in possession of some articles which are suspected to be stolen property with reference to which some offence has been committed.
2. From the applicant's alleged premises, 4620kg of items/materials like pellet iron, pig iron, silico manganese and sponge iron have been found, for which the applicant could not produce document to demonstrate his lawful ownership.
3. Learned counsel for the State would oppose the bail application. However, he would inform that the concerned Station House Officer has not reported any previous criminal antecedents of the applicant of his involvement in commission of similar nature of crime.

4. Considering the fact that the applicant is in jail since 9.4.2017; the offence is triable by Judicial Magistrate First Class and there is no information about his previous criminal antecedents, this Court is inclined to release him on bail.

5. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on bail on his 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. The applicant shall thereafter appear before the trial Court on each and every date given by the said Court.

Sd/-

Vacation Judge
(Prashant Kumar Mishra)

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