

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 988 of 2018

1. Yogendra Jaiswal son of Mahavir Jaiswal, aged about 26 years, R/o village Paterapara (Atda), Chowki Belghana, P. S. Kota, District-Bilaspur (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through: The Station House Officer, Police Station Ratanpur, District- Bilaspur (Chhattisgarh).

---- Respondent

For Applicant : Rajeev Kumar Dubey, Advocate
For Respondent/State : Ms. K. Tripti Rao, Penal Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

10/04/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 282/2017, registered at Police Station- Ratanpur, District -Bilaspur (Chhattisgarh) for the offence punishable under Sections 457 & 380 of the Indian Penal Code (for short 'the IPC').
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. The applicant is in jail since 30.09.2017. The case is triable by Judicial Magistrate First Class and trial is still pending, Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application.
4. Heard both the parties and perused the case diary.
5. The case of the prosecution is that the incident is of theft of cash of Rs. 3, 90,000/- which was stolen from the shop of complainant- Baldau Jaiswal on 14.09.2007. After lodging of FIR, during investigation on the basis of memorandum statement one motorcycle and cash of Rs. 20,000/- has been seized from this applicant. Hence this case.
6. Considering the entire material present in the case diary, it appears that the applicant does not have any criminal antecedent and the case is triable by the Judicial Magistrate First Class and also that the trial is pending, hence, for this reason, I am inclined that applicant should be benefited with grant of regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. of Applicant is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge