

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 733 of 2018

- Smt. Sumitra Kansari W/o Shri Pradeep Kansari, Aged About 27 Years, R/o Seetapur, P.S. and Tahsil Seetapur, District Sarguja Chhattisgarh At Present R/o Village Kathauli Chowki, Birejhar District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Chowki Birejhar, Police Station Kurud District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Non-applicant

For Applicant – Shri R.S. Patel, Advocate.

For Non-applicant/State – Shri Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 18-08-2017 in connection with Crime No.308/2017 registered at Police Chowki Birejhar, Police Station Kurud, District Dhamtari, Chhattisgarh for the offence under Section 454 & 380 of the IPC.
2. It is submitted on behalf of the applicant that the applicant is innocent and has been falsely implicated in this case. The cash recovered from her possession is not identified. No Test Identification Parade was conducted in respect to the other articles claimed to be seized from the applicant. The applicant is in jail since 18-08-2017. She is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that the applicant may be released on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission made in this respect.
4. Heard learned counsel for both the parties and perused the case diary.

5. Complainant Teeju Ram Sahu lodged FIR that silver jewellery and cash worth Rs.28,900/- has been stolen from his house. In the investigation on the basis of memorandum statement given by this applicant cash Rs. 20,900/-, one pair of Payal, one pair of Bichhiya, one silver necklace, one silver earpin worth Rs.8000/- has been recovered and seized from her possession.
6. Considered on the submissions made and the contents of the case diary.
7. Taking into consideration all the material present in the case diary and the facts that the applicant is local resident of District Dhamtari and she has no criminal antecedent, I am of this view that the applicant should be released on regular bail in the present matter.
8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge