

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 113 of 2018**

David Tandan S/o Shri Sohan Lal, Aged About 22 Years R/o Wireless Colony Behind Bharat Mata School Bilaspur District Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Tarbahar District Bilaspur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Dheerendra Pandey, Advocate.
For the Respondent/State	:	Shri Aditya Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****13.03.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.388 of 2017, registered at Police Station – Tarbahar, District - Bilaspur, Chhattisgarh for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 6.12.2017 and he has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The applicant is a local resident of District Bilaspur and he is ready to abide by all the conditions imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. Complainant – Satendra Narayan Singh lodged FIR on 4.12.2017 stating in it, that the theft was committed in his house in the intervening night of 3.12.2017 and 4.12.2017 by some unknown persons and some gold ornaments, cash of Rs.20,000/-, one digital camera and one ordinary camera were stolen from his house. During investigation, at the instance of this applicant both the cameras were recovered and seized. Hence, this case.

6. Considering the material present in the case-diary, taking into consideration the fact that the applicant has no criminal antecedents, the applicant is a local resident of District Bilaspur, the case is triable by the Judicial Magistrate First Class and the conclusion of the trial is likely to take some time for its final disposal, I am of the considered opinion that the applicant deserves to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the

like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi