

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 444 of 2018

- Kishore Gada S/o Biru Gada, Aged About 18 Years, R/o Shivanand Nagar, Jhanda Chowk, Nahar Para, Gudhiyari Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police of Police Station Khamtarai, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri C.R. Sahu, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-03-2018

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 22-11-2017 in connection with Crime No.528/2017 registered at P.S. Khamtarai, District Raipur, Chhattisgarh for the offence under Section 454, 380, 411, 414/34 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 22-11-2017. The case against him is triable by JMFC. The only allegation against this applicant is about receiving some property from co-accused which is said to be stolen property. Hence, it is prayed that the applicant may be released on bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. For the offence of theft of gold and silver ornaments and other articles from the house of complainant D. Uma Maheshwar Rao between intervening night of 5 and 6-11-2017 the FIR was lodged by the complainant. During

investigation two gold rings were seized from the possession of this applicant on the basis of memorandum statement given by this applicant and co-accused persons.

6. Considered on the submissions made and the contents of the case diary.

7. The case against this applicant is triable by JMFC and the applicant is in jail since about 4 months, hence, looking to this fact that the trial against this applicant is likely to take some time before its conclusion, I am of this view that the applicant should be released on bail during pendency of the trial against him.

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 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 Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge