

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 330 of 2018**

Sukhdev Verma S/o Munna Verma, Aged About 19 Years R/o Surya Chowk
Chingrajpara Bilaspur P. S. Sarkanda Tahsil And District Bilaspur
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Sarkanda District Bilaspur
Chhattisgarh.

---- Respondent

For the Applicants : Shri P.K. Tulsyan, Advocate.
For the Respondent/State : Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****20.03.2018**

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.492 of 2017, registered at Police Station – Sarkanda, District – Bilaspur, Chhattisgarh for the offence punishable under Section 380 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 16.9.2017 and has been falsely implicated in this case. The applicant is a person of tender age. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail

application. It is submitted that apart from this case, one case was registered against the applicant for similar offence of theft and he is habitual offender, hence, he is not entitled for grant of bail.

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

5. Two numbers of mobile phones were stolen from the house of complainant – Bhojram Sharma. After lodging of FIR and during investigation, two mobile phones have been recovered from this applicant, on the basis of memorandum statement, which has been identified as stolen property.

6. Considering the nature of the case against this applicant, 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 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