

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 7608 of 2017

- Mahesh Barekar S/o Shri Rajesh Barekar, Aged About 19 Years R/o Village Goragaon, Near Water Tank, Near Kirana Store Of Janak Yadav, Police Station Gudhiyari, Tahsil And District Raipur Chhattisgarh Mobile No. 9713340486, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gudhiyari, District Raipur Chhattisgarh, Chhattisgarh.

---- Respondent

For the applicant : Shri S.P. Sahu, Advocate

For the Respondent/State : Shri N. K. Mehta, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30.01.2018.

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. 241/2017, registered at Police Station – Gudhiyari,

District – Raipur, (C.G), for the offence under Section 379 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. The age of the present applicant is 19 years and he is a student of I.T.I, Government College, Behemtra. The applicant is in jail since 09.10.2017 and he is ready to abide by the conditions which may be imposed upon him while granting bail, hence, the applicant prays for grant of bail.
3. Learned counsel for the State opposes the bail application and submission made.
4. Heard counsel for both the parties and perused the case diary.
5. Complainant – Ramesh Kumar has lodged FIR that his auto Bearing No. C.G 04- LN – 1990 belonging to him was stolen. FIR has been registered against unknown persons, thereafter, the auto was recovered and seized from the possession of the present applicant according to the investigation.
6. Considering the submissions made and contents of the case diary and further considering the fact that there is no criminal history in respect of the present applicant and he is a local resident of District- Raipur, and the case is triable by JMFC, his availability before the trial Court can be ensured, he is ready to abide by all the conditions imposed upon him, this Court is of the opinion that this is a fit case where the applicant should be enlarged for grant of bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. 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 trial Court, for his appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)

Judge

Jamal