

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7653 of 2017**

- Vinay Sharma S/o Shri Virendra Sharma, Aged About 24 Years R/o Block No. 103, House No. 1645, Housing Board Colony, Boriyakala, P. S. Mujgahan, Civil And Revenue District Raipur Chhattisgarh, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Mujgahan, Civil And Revenue, District Raipur Chhattisgarh, Chhattisgarh

**---- Respondent**

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For Applicant : Mr. K.K. Dewangan, Advocate.  
For Respondent : Mr. Vivek Singhal, Panel Lawyer.

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

**Order On Board**

**13/02/2018**

1. This is the second 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. 224/2017, registered at Police Station- Mujgahan District – Raipur(C.G.) for the offence punishable under Section 380, 457/34 of the Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 27.10.2017. He is a local resident of District-Raipur and he is willing to abide by all the conditions and direction, which may be imposed on him while granting bail. Hence, it is prayed that applicant be enlarged on bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that applicant has one more case of theft registered against him which shows that he is habitual offender. Hence, he is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. A complaint was made by Amitabh Singh Baghel that on the date of incident theft has been committed in his house and one laptop, watches, blue tooth, head phone and key of car etc. worth Rs.20,000/- were stolen by some unknown thief. During investigation, applicant was apprehended and at his instance, some articles have been recovered.
6. Considered.
7. As the case is triable by JMFC and applicant is a local resident of District-Raipur. There is no likelihood of his absconsion. For this reason, I am of this view, that applicant should be benefited with grant of regular bail during the period of trial against him.
8. Accordingly, the first 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