

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7724 of 2017

- Prakash Tandon S/o Shri Guna Ram Aged About 35 Years R/o Village Borsi , Police Station Pamgarh , Tehsil Pamgarh District Janjgir Champa Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Pamgarh District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Atul Kumar Kesharwani, Advocate.
For Non-applicant/State	:	Mr. Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-03-2018

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. 244/2017, registered at Police Station- Pamgarh, District – Janjgir Champa(C.G.) for the offence punishable under Sections 457 & 380/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. It is submitted that recovery from this applicant is only cash of Rs.1200/-. No case is made out that the offence has been committed by this applicant. Applicant is in jail since 13.5.2017 and the trial is still pending before the trial Court. Hence, it is prayed that he may be released on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that applicant has a criminal history of having two similar cases of theft and four cases under the other provisions of IPC. Apart from that he has been proceeded against in nine other cases of preventive nature under the provisions of CrPC,

hence, he is not entitled for grant of bail.

4. In reply, learned counsel for applicant submits that the applicant has been acquitted from two cases against him and the remaining prosecution are pending, in which, he is on bail.
5. Heard both the parties and perused the case diary.
6. Considering on the entire material present in the case diary as after passing of almost more than 10 months, the trial against this applicant has yet not concluded, hence, for these reasons, I am of this view that this is a fit case where applicant should be released on regular 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 her 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 her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha