

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8073 of 2017**

Hemraj Surywanshi S/o Shri Ramcharan Suryawanshi, Aged About 24 Years
R/o Village Sambalpuri, P. S. Chakarbhata, Civil And Revenue District
Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station
Chakarbhata District Bilaspur Chhattisgarh.

---- Respondent

For the Applicant : Shri Amit Kumar Chaki, Advocate.
For the Respondent/State : Shri Vijay Bahadur Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****06.03.2018**

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.548 of 2017, registered at Police Station – Chakarbhata, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 28.11.2017 and he has been falsely implicated in this case. The applicant is a local resident of District Bilaspur and he is ready to abide by all the conditions imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. Complainant – Tularam Suryavanshi lodged FIR on 27.11.2017 about theft of silver ornaments worth Rs.22,500/- from his residence by unknown persons. During investigation, at the instance of the applicant some of the articles were recovered and seized. On that basis, the case has been registered against the applicant.
6. Considering the entire material present in the charge-sheet, the applicant is a local resident of District Bilaspur, 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 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge