

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1321 of 2018**

Mahendra Kumar Banjare, S/o. Gore Lal Banjare, Aged About 22 Years, R/o.-
Village Ghonghadih, P.S. Kota, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant : Mr. N.K. Chatterjee, Advocate

For State/respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**24/04/2018**

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.02/2018, registered at Police Station – Kota, District – Bilaspur (C.G.), for the offence punishable under Section 41 (1-4)/379 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 18.01.2018. Investigation in this case is still pending. The owner of the stolen property has not found till date. Therefore, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the case of the prosecution, two numbers of motor cycle, in which one was unnumbered and another was bearing No.C.G.-10-ED-6579 was seized from the possession of this applicant on suspicion that the said motor cycles were the property of theft. So far in the investigation, the owners of the said motor cycles have not been found.
6. Considered on the submissions made and the contents of the case diary. Considering the entire material present in the charge-sheet and further considering the detention of the applicant and he has no criminal antecedents, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge