

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1336 of 2018

- Fardeen Khan S/o Hasan Khan Aged About 30 Years R/o.- Behind Navbharata Press, Modahpara, Raipur, Tahsil And District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, P.S. Saraswati Nagar, Raipur, Civil And Revenue District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. Pushendra Kumar Patel, Advocate.

For Respondent/State : Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

18/04/2018

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.89/2017 registered at Police Station– Saraswati Nagar, Civil & Revenue District– Raipur(C.G.) for the offence punishable under Section 379 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 he has no criminal antecedents. Applicant is in jail since 29.12.2017. After completion of investigation, charge-sheet has been filed. Hence, it is prayed that he may be released on bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, motorcycle bearing registration No.C.G.04-D.K.-4507 in possession of the complainant Manish Yadav was stolen on 4.7.2017. After lodging of FIR during investigation, the said motorcycle was seized from the possession of this applicant which has been identified as the stolen property.
6. Presently the case before the trial Court and there is no criminal antecedent of this applicant, hence, for these reasons, I am of this view that this is a fit case where the applicant should be enlarged on 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