

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 8112 of 2017**

Pawan Agrawal, S/o. B.D. Agrawal (wrongly mentioned as V.D. Agrawal),
aged about 49 years, R/o. Mayapur, Ambikapur, District – Surguja (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station - Baikunthpur, District - Korea,
Chhattisgarh

---- Respondent

For Applicant : Mr. Manoj Paranjpe, Advocate

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**10/01/2018**

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.273/2017, registered at Police Station – Baikunthpur, District – Korea (C.G.) for the offence punishable under Section 380, 411 read with Section 34 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. At the most, applicant can be prosecuted for offence under Section 411 of the Indian Penal Code. It is submitted that co-accused persons in this case have been granted bail by the Coordinate Bench of this Court, hence, under these circumstances, the applicant is also entitled to be

enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Complainant lodged a FIR that batteries of the mobile towers were stolen by some unknown persons and during the investigation, one battery of the description given by the complainant was found in the possession of the applicant because of which, he has been arrayed as an accused in this case.
6. Considered on the submissions made and the contents of the case diary. Taking into consideration this fact that co-accused persons have already been enlarged on bail and the case of the applicant is also similar in nature for this reason, 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