

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 1760 of 2018

- Salman Sayed S/o Late Sayed Hafiz Aged About 22 Years R/o Ward No. 7, Tajnagar, Saraipali, Tahsil Saraipali, District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Saraipali, District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh.

---- Respondent

For the Applicant : Shri Vikash Pradhan,
Advocate.

For the Respondent/State : Ms. Smita Ghai, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01.05.2018

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. 411/2017, registered at Police Station – Saraipali, District – Mahasamund, (C.G), for the offences under Sections 457 and 380 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 25.12.2017. No case is made out against him. After

completion of investigation the charge-sheet has been filed. The applicant is ready to abide by all the conditions which may be imposed while granting bail to the applicant, hence, it is prayed that he may be released on bail.

3. Learned counsel for the State opposes the bail application and submits that this applicant has previous case of similar offence, hence, he is not entitled for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. FIR was lodged by complainant (Deepak Kumar) against unknown person about theft in his house of various articles. During investigation at the instance of this applicant some articles have been seized. But no identification has been conducted regarding the seized articles.
6. Considered on the submission and contents of the case diary, the applicant is in detention since quite some time, after filing of the charge-sheet no purpose would be served, if the, applicant is kept in detention, till the completion of the trial, hence, this Court is of the opinion that this is a fit case, where the applicant is entitled for grant of 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