

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7553 of 2017

- Lakhveer Singh @ Lakkha S/o Malkeet Singh, Aged About 24 Years
R/o R. H. - 85, Nanak Palace, Near Pipliyarao Gurudware, Indore
District Indore M. P. , Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Khamtarai, District Raipur Chhattisgarh , Chhattisgarh.

---- Respondent

For the applicant : Shri Naveen Kumar Singh,
Advocate

For the Respondent/State : Shri Vivek Singhal, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23.01.2018

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. 175/2016, registered at Police Station –Khamtarai, District – Raipur (C.G), for the offences under Sections 379, 411, 201/34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. For the reason that the article of theft Truck Bearing No. CG/15/AC/4785 has been recovered from his possession allegedly. The only offence is that for which the applicant is prosecuted as under Sections 379, 411, 201/34 of the Indian Penal Code, which is punishable maximum upto imprisonment of three years. The applicant is in jail since 09.07.2017 and he is ready to abide by the conditions which may be imposed upon him while granting bail, therefore, it is prayed that the applicant may be enlarged on bail.
3. Learned counsel for the State opposes the bail application and submissions made in this respect. It is submitted that the applicant is indulged in commission of similar other offences of receiving stolen property and he is resident of Indore, hence, the applicant is not entitled for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. Complainant – Vijendra Gupta lodged FIR about theft of his truck. During investigation the said truck has been recovered from the possession of the present applicant.
6. Considering the submissions made and contents of the case diary, further taking into consideration the nature of the case, which is triable by the JMFC, after filing of the charge-sheet no purpose would be served, if the applicant is kept in detention till the completion of the trial, 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 local 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

Jamal