

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7862 of 2017

- Dukheran Pardhi S/o Alakhu Pardhi, Aged About 35 Years R/o Village Ramera, Police Station Chuikhandan Civil And Revenue District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Saja, Civil And Revenue District Bemetara, Chhattisgarh., Chhattisgarh

---- Respondent

For Applicant	:	Mr. Dinesh Tiwari, Advocate.
For Respondent/State	:	Ms. K. Tripti Rao, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

15/03/2018

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.189/2017 registered at Police Station– Saja District– Bemetara(C.G.) for the offence punishable under Sections 457, 380 & 411/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 10.5.2017. No case is made out against this applicant. The co-accused person in this case has been granted bail by the co-ordinate Bench of this Court vide order dated 6.12.2017 passed in MCRC No.6555/2017. Applicant has a similar case, hence, it is prayed that he may be granted regular 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. Complainant Pilu Verma lodged FIR in PS-Saja stating that on the night of incident some unknown person have stolen jewelery worth Rs.87,000/- and cash Rs.11,000/- from his house. During investigation, some gold jewelery were recovered at the instance of applicant and the recovered items have been identified as stolen articles. Hence, this case.
6. Considered on the material present in the case diary and taking into consideration this fact, that the co-accused person has been benefited with grant of regular bail by Co-ordinate Bench of this Court, hence, this applicant cannot be singled out as a different case, hence, taking into consideration these facts, the application is allowed.
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