

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.3024 of 2018

- Purshottam Sahu S/o Shri Rameshwar Sahu Aged About 27 Years
R/o Village Birejhar, Chowki Birejhar, District Dhamtari
Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Kurud, (Police Chowki Birejhar), Civil And Revenue District
Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh.

---- Respondent

For the Applicant : Shri R.S. Patel,
Advocate.

For the Respondent/State : Shri Anant Bajpai, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30.04.2018

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.02/2018 registered at Police Station – Kurud, police chowki birejhar, District –Dhamtari, (C.G), for the offences under Sections 41 (1 +4), 379 411/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. No case is made out against him. He is a student of B.A. Part -2 and his examination is to be held on 04.05.2018 and 07.05.2018. He is a local resident and 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 oppose the bail application and submits that the present applicant himself admitted in his memorandum statement that he has purchased the stolen motorcycle, hence, for this reason, he is not entitled for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. The allegation against the present applicant is this that he has purchased three stolen motorcycles from the co-accused - (Ballu Sahu), for this reason, this applicant was apprehended. In interrogation, he has made admission on his memorandum statement and led to recovery of stolen property. Hence, this case.
6. So far in the investigation conducted, owner of the said stolen property has not been found and also it appears that no criminal antecedent is reported with respect to the present applicant.
7. Considering the submissions made and the contents of the case diary, taking into consideration the facts that the present applicant is a student and local resident of District – Dhamtari, hence, no purpose would be served, if the applicant is kept in detention till the completion of the trial, taking into such facts, I am of the view that it is a fit case where the applicant is entitled for grant of bail.
8. 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