

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3038 of 2018

- Mohd. Firoz Ansari S/o Mohd. Yunus Ansari, Aged About 30 Years, R/o Ward No. 12, Manendragarh, Distt. Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Police Station Manendragarh, Distt. Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

----Non-applicant

For Applicant – Shri Parag Kotecha, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-06-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 06-01-2018 in connection with Crime No.1/18 registered at P.S. - Manendragarh, District Koriya, Chhattisgarh for the offence under Section 457, 380 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in custody since 06-01-2018. Charge sheet has been filed after completion of the investigation. No case is made out against this applicant according to the material present in the charge sheet. Hence, it is prayed the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that there is recovery of articles of theft on memorandum of this applicant which have been identified by the complainant as stolen property, hence, no case is made out for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, an incident of theft of gold and silver

jewelry and some cash had taken place from the house of complainant Suryakant Joshi on 25-12-2017. After lodging of the FIR, some recovery of articles from this applicant was made which have been identified as stolen property in the test identification parade.

6. It appears that there is no other criminal history of this applicant regarding offence of theft. After considering on the material present in the case diary, I feel inclined to grant bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge