

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3070 of 2018

Vicky Nat, S/o. Late Ramsingh, Aged About 19 Years, Caste Nat, R/o. Baneya, P.S. Sitapur, District Surguja Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Patthalgaon, District Jashpur Chhattisgarh

---- Respondent

For Applicant : Mr. M.K.Jaiswal, Advocate

For Respondent : Mr. Sanjeev Pandey, Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30.05.2018

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.255/2017 registered at Police Station- Patthalgaon, District Jashpur (C.G.) for the offence punishable under Sections 379, 201 of Indian Penal Code.
2. Case of the prosecution is that the applicant committed theft of Rs.3 Lakhs.
3. Learned counsel for the applicant submits that the applicant has been falsely involved in the alleged commission of offence on the basis of a false seizure of cash, investigation is complete and charge sheet has been filed; therefore, the applicant may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that in view of recovery of cash amount from the applicant *prima facie* case is made out.

5. Taking into consideration the submission made by the counsel for the parties, perusal of case diary and further taking into fact that the investigation is complete, charge sheet has been filed and maximum sentence that can be awarded for the offence under Section 379 of I.P.C. and that the applicant is in jail since 03.01.2018, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with two local sureties in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Manindra Mohan Shrivastava)
Vacation Judge