

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3314 of 2018**

Guddu @ Gangadhar S/o Late Indrajeet Ram Aged About 32 Years R/o- Suhauni, P.S.- Barda, Tahsil- Pholpur, District- Jhounpur (U.P.), District : Jaunpur, Uttar Pradesh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station- Katghora, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh.

---- Respondent

For the Applicant : Smt. Indira Tripathi, Advocate.
For the Respondent/State : Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****19.06.2018**

Heard.

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. 212 of 2016, registered at Police Station Katghora, District Korba, Chhattisgarh for the offence punishable under Sections 379, 411, 419, 420, 467, 468 and 471/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 18.8.2017 and has been falsely implicated in this case only on the basis of the memorandum statement given by the co-accused persons. No case is made out against the applicant on the basis of the material placed

before the Court by the prosecution. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that this applicant alongwith Gorakh Ram alleged to have stolen three vehicles on the same date. Hence, looking to the involvement of this applicant in this offence he is not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. Complainant – Deepak Shrivastava has lodged FIR that his vehicle bearing registration No. C.G. 12/D/0687 has been stolen which was kept in front of his house. During investigation, the co-accused person, namely, Gorakh Ram has given statement that this applicant was in his company when the vehicle was stolen. Hence, this case.

6. Considering the submissions and the contents of the case-diary, and looking to the material i.e. proposed against the applicant for its trial, I am of the considered view that in this case the applicant deserves to be enlarged on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi