

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 8129 of 2017**

Vijay Verma, S/o. Manharan, Aged About 20 Years, R/o. Village Anandgaon,
Chowki, Kanderka, Police Station -Berla, District Bemetara, Chhattisgarh.

---- Applicant**Versus**

The State of Chhattisgarh, Through : Station House Officer, Police Station
Berla, District -Bemetara, Chhattisgarh.

---- Respondent

For Applicant : Mr. P.P. Sahu, Advocate

For Respondent/State : Mr. Vijay Bahadur Singh, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****07/03/2018**

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.325/2017, registered at Police Station –Berla, District – Bemetara (C.G.) for the offence punishable under Section 457, 380, 34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out on the basis of the material present in the charge-sheet. Applicant is in jail since 29.10.2017, he is local resident of District- Bemetara and he is ready to abide by all the conditions imposed for grant of bail, therefore, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Complainant lodged FIR alleging in it that theft was committed in his place of residence and gold and silver ornaments worth Rs.98,000/- was stolen by unknown thieves on the date of incident. Subsequent to that at the instance of this applicant, the stolen property was recovered and also identified by the complainant, hence this case.
6. Considered the submissions made and the contents of the case diary. As there is no criminal antecedents of this applicant and is local resident of District – Bemetara, his availability before the trial Court shall not be compromised, if he is released on bail, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge