

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 7813 of 2017

- Lilendra Sahu S/o Bisru Sahu, Aged About 32 Years R/o Village Chirahi, P. O. Gadabhata, Tehsil Pallari, District Baloda Bazar Chhattisgarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dharsiva, District Raipur Chhattisgarh, Chhattisgarh.

---- Respondent

For the Applicant : Ms. K. Tripti Rao, Advocate.

For the Respondent/State : Shri Anupam Dubey, GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22.02.2018

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. 466/2016, registered at Police Station –Dharsiva, District – Raipur (C.G), for the offences under Section 381 and 411 of the Indian Penal Code.
2. Learned counsel for the applicant submits, that the applicant has been falsely implicated in this case and he is in jail since 13.10.2017. An amount of Rs. 20,000 /- has been seized from the possession of this applicant, which is not an article to be identified as property of theft, no case is made out against the

present applicant, therefore, it is prayed that the applicant may be enlarged on bail.

3. Learned counsel for the State opposes the bail application and submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The allegations against the present applicant is that he alongwith co-accused persons namely (Onkar Pandey and Yogesh Kumar) committed theft of 20 tons of sponge iron from Vaswani Industry, Siltara and sold the same to another co-accused person (Manoj Shah) for Rs. 2 lakhs. An amount of Rs. 20, 000/- has been recovered and seized from the possession of the present applicant on the basis of memorandum statement given by the co-accused.
6. Considering the submissions and contents of the case diary and nature of the allegation against the applicant, I am of the view that it is a fit case where the applicant is entitled for grant of bail.
7. 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