

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3375 of 2018**

Kishan Sharma, S/o Avadhesh Sharma, aged about 26 years, R/o Jagriti Nagar, Bhanpuri, Tahsil and District Raipur (C.G.) **----Applicant**

Versus

The State of Chhattisgarh, through the Station House Officer, Police Khamtarai, Civil and Revenue District Raipur (C.G.) **---- Non-applicant**

For Applicant	:	Mr. Kamlesh Kumar Pandey, Advocate.
For Respondent/State	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

25/06/18

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.99/2018, registered at Police Station- Khamtarai, Civil and Revenue District Raipur (C.G.) for the offence punishable under Sections 457, 380 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant has stolen T.V., Set-up Box, D.V.D. player, golden and silver ornaments from the house of the complainant Mangal Singh in the intervening night of 5th and 6th February, 2018 and thereby committed offence under the aforesaid Sections.
3. Learned counsel for the applicant would submit that the applicant has falsely been implicated in crime in question and has not committed any offence. He would also submit that the applicant is in jail since 21.02.2018 charge-sheet has already been filed, and no useful purpose will be served in

detaining him in jail, the applicant may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; role of the present applicant; and the fact that he is in custody since 21.02.2018, I consider it 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 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 trial Court, for his appearance as and when directed.

SD/-

(Sanjay K. Agrawal)

Judge