

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3693 of 2018**

Sanjay @ Golu Netam S/o Shri Rajkumar Netam Aged About 28 Years R/o- B.S.U.P. Colony, Block No. 4, House No. 23, Raipur, P.S. D.D. Nagar, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Pandri Mova, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Smt. Ranjana Jaiswal, Advocate.
For the Respondent/State	:	Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.07.2018**

Heard.

1. This is the second bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn on 4.5.2018 in M.Cr.C. No. 1452 of 2018. The applicant has been arrested in connection with Crime No. 416 of 2017, registered at Police Station Pandri Mova, District Raipur, Chhattisgarh for the offence punishable under Section 380 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 28.12.2017 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. The case is triable by the Judicial Magistrate First Class and the conclusion of the trial is

likely to take some time for its final disposal. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsels for the State oppose the bail application and the submissions made in this respect. It is submitted that this applicant appears to be habitual offender as previously he has been prosecuted in 11 criminal cases for similar nature of offence. Hence, no case is made out for grant of regular bail to the applicant.

4. In reply, learned counsel for the applicant submits that the applicant is not in detention in any other case registered against him.

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

6. According to the prosecution case, a theft was committed by some unknown persons in the house of complainant – Bhupendra Jangde and one micromax mobile was stolen in that incident, which has been seized from the possession of the applicant. Hence, this case.

7. Considering the material present in the case-diary and taking into consideration the fact that the applicant is not in detention in any other case, I feel inclined to grant regular bail to the applicant.

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

9. It is directed that applicant shall be released on bail on 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge