

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4117 of 2018

- Bhishan @ Bhisham Nishad S/o Shri Mannu Lal Nishad, Aged About 25 Years R/o 133, Dihpara, Ward No. 7, Adsena, Police Station Kharora, District Raipur Chhattisgarh.

---- Applicant

In Jail

Versus

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

---- Respondent

For Applicant	:	Shri CR Sahu, Advocate.
For Respondent/State	:	Shri Ravindra Agrawal, G.A.

Hon'ble Shri Pritinker Diwaker, J

Order On Board

02/07/2018

The applicant has filed this application under Section 439 of CrPC for grant of bail as he is in custody since 28.3.2018 in connection with Crime No.120/2018 registered at Police Station – Kharora, Distt. Raipur for the offence punishable under Sections 457 and 380 of IPC.

02. As per prosecution case, in the intervening night of 26/27.3.2018 the applicant entered the house of complainant Vimlabai and committed theft of gold ornaments worth Rs.50,500/-.

03. Counsel for the applicant submits that the offences are triable by the Magistrate First Class, charge sheet has already been filed,

nothing is required to be seized from the applicant and he is in jail since 28.3.2018. He further submits that the applicant has no criminal antecedents.

04. On the other hand, State counsel opposes the bail application.

05. Heard counsel for the parties and perused the material available on record.

06. Considering the detention period of the applicant and that the offences are triable by the Magistrate, without further commenting on merits of the case, I am inclined to release the applicant on bail. Accordingly, the application is allowed. The applicant is directed to be released on bail on his furnishing a personal bond of Rs. 1 lac with one surety for the like sum to the satisfaction of the concerned trial Court for his appearance before it as and when directed.

Sd/

(Pritinker Diwaker)

Judge