

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.4271 of 2018**

- Shivam S/o Rajesh Nishad Aged About 19 Years R/o Indira Nagar Chowk, Ward No. 8, Police Station City Kotwali, Tahsil And District Raigarh, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Outpost Jutemil, District Raigarh, Chhattisgarh

---- Respondent

For Applicant	: Shri Ashish Gupta, Advocate
For respondent/State	: Shri Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****18.7.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 10.5.2018 in connection with Crime No.459/2018, registered at Police Station City Kotwali, Outpost-Jutemil, District- Raigarh (CG) for the offence punishable under Sections 457, 380 and 411 of the Indian Penal Code.

2. As per the case of the prosecution, the applicant was allegedly involved in receiving stolen property from co-accused Golu Tandon.

3. Learned counsel for the applicant submits that the applicant is charged with an offence which is triable by Judicial Magistrate First Class and the trial will take sufficient time for conclusion. He would further submit that the applicant has been falsely implicated

in the instant case, he is in jail since 10.5.2018, therefore, he may be released on bail

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

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

6. Taking into consideration the submission of learned counsel for the parties, nature of allegation, the applicant is in jail since 10.5.2018, charge sheet has been, the applicant is not likely to abscond for tamper with the prosecution witnesses, I am inclined to release the applicant on bail.

7. Accordingly, application filed under Section 439 of the CrPC is allowed. 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 local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Sd/-

(Ram Prasanna Sharma)

JUDGE