

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4506 of 2018

- Suryapratap Tanwar S/o Shri Dhruv Kumar Aged About 20 Years R/o- Village Sonpuri, Police Station Korba, Tahsil Katghora, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Outpost Manikpur, Police Station- Kotwali, Korba, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent -

For Applicant	:	Mr. Anil Gulati, Advocate.
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/07/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.163/2018 registered at Police Outpost Manikpur, Police Station- Kotwali Korba, District – Korba(C.G.) for the offence punishable under Sections 457, 380, 395 r/w 34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 13.3.2018. After completion of investigation, charge-sheet has been filed. No case is made out against this applicant. Similarly placed co-

accused Md. Imran and Komal Sahu have been granted regular bail by this Court. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, 70 kg copper wire was stolen by some unknown thief. After lodging of FIR, some copper wire has been recovered and seized at the instance of this applicant. Hence, this case.
6. Considering on the material present in the case diary, similarly placed co-accused Md. Imran and Komal Sahu have been granted bail by this Court, for this reason, I am of this view that this applicant also deserves to be granted regular 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