

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4516 of 2018**

Sipat Lal Dhanuhar S/o Samaru Dhanuhar, Aged About 28 Years R/o Village Kendaikhar, Police Station Darri, Tahsil Katghora, District Korba Chhattisgarh., District : Korba, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Kusmunda, District Korba Chhattisgarh., District : Korba, Chhattisgarh.

---- Respondent

For the Applicant : Shri Nitesh Shrivastava, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****11.07.2018**

Heard.

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.109 of 2017, registered at Police Station – Kusmunda, District Korba, Chhattisgarh for the offence punishable under Sections 380 and 457 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 6.4.2018 and has been falsely implicated in this case. The applicant has no criminal antecedents and the case is triable by the Judicial Magistrate First Class. Hence, it is prayed that the applicant be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case, the incident of theft occurred in the house of complainant – Ajay Kumar Rathore, in which ornaments of gold, silver, other articles and cash of worth Rs.3,00,000/- were stolen by some unknown persons. After lodging of FIR and during investigation, some gold and silver ornaments were seized from the possession of the applicant. Hence, this case.
6. Considering the entire material in the case-diary, the applicant is a local resident of District Korba and the fact that he has no criminal antecedents, I am of the considered opinion that the applicant deserves to be released on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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. 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