

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4638 of 2018**

Malkabi @ Chand Bi, W/o. Sheikh Nishar, Aged About 40 Years, R/o. Ldgahbhatha, Lakhenagar, Near Footbal Ground, Jhopadpatti, Police Station- Azad Chowk, Raipur, District- Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through- Station House Officer, Police Station, GRP, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Amit Singh, Advocate
For Respondent	:	Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****23/07/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.125/2018, registered at Police Station- GRP, Bilaspur, District – Bilaspur (C.G.) for the offence punishable under Section 379 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 06.05.2018. No case is made out against him. The applicant has no previous criminal antecedents. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for the parties and perused the documents placed on record.

5. According to the prosecution case, it is alleged that the applicant has stolen a bag from the possession of the wife of complainant Damrudhar Rajwade while she was travelling in a train containing two numbers of mobile phone, one Mangalsutra of gold and one purse carrying Rs.300/- total value of Rs.75,000/-. Soon after lodging the FIR, property was recovered from the possession of this applicant.
6. Considered the submissions made and the contents of the case diary. After considering on all the material present in the case diary and also taking into consideration the fact that this applicant does not have any previous criminal antecedents and she is local resident of Raipur, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge