

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4637 of 2018**

Pyare Bharti, S/o. Shri Baldau Bharti, Aged About 19 Years, R/o.- Sakin-Bhainsapasra, Devardera, P.S. City Kotwali Balodabazar, District-Balodabazar- Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- The Station House In-Charge, Police Station City Kotwali, Balodabazar, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Supriya Upasane, Advocate
For Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

25/07/2018

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.263/2018, registered at Police Station- City Kotwali, Balodabazar, District – Balodabazar – Bhatapara (C.G.) for the offence punishable under Section 379, 411 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 14.06.2018. No case is made out against him on the basis of the material present in the charge-sheet. 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, complainant Sadaram Dhruv has lodged FIR regarding theft of his Samsung mobile J-5 in the concerned police station. Later on, this applicant along with other co-accused were arrested, who were in possession of five numbers of mobile phones, which they were trying to sell out. One of the mobile in possession of the applicant and co-accused has been identified as stolen property, hence, this case.
6. Considered the submissions made and the contents of the case diary. After considering the case against this applicant in its entirety and for this reason that this applicant is only age of 19 years and he has no criminal antecedents, 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