

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4701 of 2018**

Aman Soni S/o Ramkhilawan Soni Aged About 20 Years R/o- Near Gyanam Palace Saraju Bagicha Bilaspur P.S. City Kotwali District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- The Police Station Torwa, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri P.K. Tulsyan, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****24.07.2018**

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. 93 of 2018, registered at Police Station Torwa, District Bilaspur, Chhattisgarh for the offence punishable under Sections 379 and 411/ 34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 5.5.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Hence, it is prayed that the applicant be enlarged on bail.
3. On the other hand, learned counsel for the State oppose the bail

application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.
5. The incident of theft was committed by co-accused persons – Nishant Naidu and one juvenile delinquent. The allegation against the applicant is that he received one stolen mobile set from the co-accused persons which has been seized from his possession.
6. Considering the submissions and the contents of the case-diary, taking into consideration the fact that the applicant has no criminal antecedents and the conclusion of the trial is likely to take some time for its final disposal, 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 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