

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4816 of 2018**

Nand Kishore Thakur S/o Late Ashok Kumar Aged About 21 Years R/o Behind Masjid, Tarbahar, P.S. Tarbahar, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, P.S. Tarbahar, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Varunendra Mishra, Advocate.
For the Respondent/State : Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****02.08.2018**

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. 154 of 2018, registered at Police Station Tarbahar, District Bilaspur, Chhattisgarh for the offence punishable under Section 379 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 06.06.2018 and has been falsely implicated in this case. 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. The case against the applicant is that he has stolen two numbers of mobile phones from the possession of complainant – Ku. Ranjana Basak. After lodging of FIR, the mobile phones have been seized from this applicant at his instance. Hence, this case.
6. Considering the material present in the case-diary and the applicant has no criminal antecedents, I am of the considered view that in this case the applicant deserves to be enlarged 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