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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5078 of 2018**

Vikas Kumar Kunjam @ Shubham S/o Ankaluram Kunjam Aged About 19 Years R/o New Police Line, Quarter No. E-36, Police Station City Kotwali, Durg Tehsil And District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station City Kotwali, Durg District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Respondent

For the Applicant : Shri Mahendra Dubey, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.08.2018**

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.367 of 2018, registered at Police Station – City Kotwali, Durg, District Durg, Chhattisgarh for the offence punishable under Sections 457, 380 and 436 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 8.5.2018 and has been falsely implicated in this case. The trial against the applicant is still pending before the concerned trial Court. 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 applicant committed theft of gold ornaments of complainant – Nandkumar Joshi and pledged the same in Mannapuram Finance Limited. During investigation, at the instance of the applicant, gold ornaments were recovered and seized. On that basis, the case has been registered against the applicant.
6. Considering the entire material present in the case-diary and also looking to the tender age of this applicant, 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