

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5049 of 2018

Suraj Nirmalkar S/o Melaram Nirmalkar Aged About 23 Years R/o Village Nayapara, Sirgitti, Police Station Sirgitti Bilaspur District Bilaspur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station Sirgitti District Bilaspur Chhattisgarh.

---- Respondent

For Applicants : Mr. Anil Tawadkar, Advocate

For Respondent : Mr. Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

07/08/2018

1. This is the first bail applications 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.190/2018, registered at Police Station- Sirgitti, District – Bilaspur (C.G.) for the offence punishable under Section 457, 380 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 02.06.2018. No case is made out against him according to 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. Complainant Gourav Kumar has lodged FIR that a bag containing some papers, wrist watch, mobile phone etc. was stolen from his house on the date of incident. During the investigation some articles have been seized and recovered at the instance of this applicant. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering on all the material present in the charge-sheet, the case is pending before the concerned trial Court and it appears that this applicant does not have any criminal antecedents, hence for this reasons, 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