

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4955 of 2018

- Pawan Shrivastava @ Boda S/o Gautam Shrivastava, Aged About 28 Years, R/o Atal Awasthi Imalibhata Bilaspur P. S. Sarkanda Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Koni, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

----Non-applicant

For Applicant – Shri Pravin Kumar Tulsyan, Advocate.

For Non-applicant/State – Shri N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-08-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 21-10-2017 in connection with Crime No.203/2017 registered at P.S. - Koni, District Bilaspur, Chhattisgarh for the offence under Section 380, 457 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 21-10-2017. No case is made out against him. The case is pending before the concerned Court and the trial has not yet concluded. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the applicant has criminal history of having been prosecuted for similar offences on 11 occasions, hence, he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.
5. Complaint Sandan Bhoi has lodged the FIR that unknown persons have committed theft in his house by stealing ornaments of gold and silver kept

inside the boxes. During investigation, recovery of some articles have been made at the instance of this applicant which has been identified in the TIP. Hence, this case.

6. Considering on the material present in the case diary and the fact that almost about one year has elapsed and the trial against this applicant has not concluded, I feel inclined to grant regular bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge