

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4976 of 2018**

- Jeetu Tandon S/o Shri Panchram Tandan Aged About 23 Years R/o Arication Collony, Rampur, I.T.I. Korba Distt. Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Balkodistt. Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Respondent

For Applicant	: Mr. Samir Singh, Advocate
For State/respondent	: Mr. Anupam Dubey, Dy. Govt. Advocate for State.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****07/08/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.165/2018, registered at Police-Station-Balko, District-Korba(C.G.) for the offence punishable under Section 394/34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. He is in jail since 24.04.2018. No case is made out against him. After completion of

investigation, charge-sheet has been filed and the case is triable by Judicial Magistrate First Class. Hence, it is prayed that applicant be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that applicant has previous record of having being prosecuted of offence of theft, hence, no case is made out for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The allegation against the applicant is this, that on the date of incident they looted the mobile phone of complainant Vivek Singh Paikra. After lodging of FIR at the instance of this applicant, the same mobile phone has been recovered from the possession of co-accused persons. Hence, this case.
6. After considered on entire material present in the case diary and also looking to this fact that case is pending before the trial Court which is likely to take some time before its conclusion. For this reason, I am of this view that this is a fit case where the applicant should be released on bail during the pendency of the case against him.
7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed. It is directed that applicants 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge