

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5098 of 2018

Lokesh Bairagi, S/o. Manohar Bairagi Aged About 20 Years R/o Ashok Nagar
Sarkanda, Police Station Sarkanda, District- Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Staion Sarkanda, Bilaspur, District-
Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Ajay Kumrani with Mr. Vikash Shrivastava, Advocate
For Respondent	:	Mr. Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

08/08/2018

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.Istagasa No. 04/2018, registered at Police Station- Sarkanda, District – Bilaspur (C.G.) for the offence punishable under Section 379 & 411 of the I.P.C. and 41 (1-4) of Cr.P.C.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 09.05.2018. 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. On the date of incident, this applicant was found in possession of two mobile phones, for which he was looking for customer. On suspicion that mobile in possession of this applicant may be stolen property, seizure has been made by the police station -Sarkanda, District – Bilaspur. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present on record and so far no person has come forward to claim the ownership of the mobile seized from the applicant, hence for this reason, 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