

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5226 of 2018**

Tirath Dhritlahre S/o Thanuram Aged About 25 Years R/o Village Pacheda,
P. S. Khallari, Distt. Mahasamund Chhattisgarh, District : Mahasamund,
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through P. S. Khallari, Distt. Mahasamund
Chhattisgarh, District : Mahasamund, Chhattisgarh.

---- Respondent

For the Applicant : Shri Mayank Chandrakar, Advocate.
For the Respondent/State : Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.08.2018**

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.124 of 2018, registered at Police Station – Khallari, District Mahasamund, Chhattisgarh for the offence punishable under Sections 457 and 380/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 10.07.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. There is no requirement to keep the applicant in custody. 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. FIR has been lodged by complainant - Ramgopal Sahu that on 9.6.2018 some persons have stolen 120 liters of kerosene oil from the PDS shop. At the instance of the applicant, the kerosene oil and motorcycles have been recovered and seized.
6. After due consideration on all the material present in the case-diary and looking to the fact that the applicant has no criminal antecedents, 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