

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6105 of 2018

- Pradeep Singh S/o Shri Pihuk Singh Aged About 21 Years R/o Tifra, Sirgitti, P. S. Sirgitti District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P. S. Sirgitti Civil And Revenue District Bilaspur Chhattisgarh

---- Non-applicant

For Applicant : Mr. KPS Gandhi, Advocate.

For Non-applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

27.09.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 200/2018 registered at Police Station – Sirgitti District – Bilaspur (C.G.) for the offence punishable under Section 380 of the Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Surjit Dua is the Chairman of the Radha Swami Satsang Vyas, Tifra. On the intervening night of 01.06.2018 and 02.06.2018 at Tifra the applicant had stolen the sound and electrical instruments, three ceiling fan, one

table fan from the building of the Radha Swami Satsang Vyas, Tifra.

4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he further submits that he has received report from the police station that there is no criminal antecedent against the applicant.
6. The offence is triable by the Judicial Magistrate First Class.
7. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the trial will take its own time, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the present applicant.
8. Accordingly, the present bail application filed under Section 439 of the Cr.P.C., is allowed.
9. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he should not commit any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
10. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE