

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5990 of 2017**

Komal Sahu @ Monu S/o Narda Sahu, Aged About 21 Years R/o Village Bazar Chowk Nandkatthi, Police Station Nandni Nagar, District Durg, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Nandni Nagar, District Durg, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Jitendra Gupta, Advocate.
For the Respondent/State	:	Shri Vijay Bahadur Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.01.2018**

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. 132 of 2017, registered at Police Station Nandini Nagar, District Durg, Chhattisgarh for the offence punishable under Section 380 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 28.05.2017 and he has been falsely implicated in this case. The applicant has no criminal antecedents, the case is triable by the Judicial Magistrate First Class and the conclusion of the trial is likely to take some time for its final disposal. 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. Complainant – Ajeet Kumar Sahu lodged FIR in police station Nandini Nagar stating that theft of one mobile and cash of Rs.1,30,000/- has taken place from his house. After registration of offence, mobile and some cash have been recovered from the applicant on the basis of his memorandum statement.
6. Considering the submissions and the contents of the case-diary, taking into consideration the fact that the applicant has no criminal antecedents, the applicant is a local resident of District Durg, the case is triable by the Judicial Magistrate First Class and the conclusion of the trial is likely to take some time for its final disposal, 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 the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local 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