

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6354 of 2017**

Chhotu Yadaw, S/o. Shri Manharan Yadaw, Aged About 27 Years, R/o. Jabrapara, Sarkanda, Police Station – Sarkanda, Tahsil and District (Revenue & Civil) Bilaspur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station -Koni, District (Revenue and Civil) Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. S.D. Singh, Advocate
For Respondent/State	: Mr. Neeraj Mehta, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**17/01/2018**

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.203/2017, registered at Police Station – Koni, District – Bilaspur (C.G.) for the offence punishable under Section 457, 380 of Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 21.07.2017, charge-sheet has been filed after completion of investigation, applicant is ready to abide all the conditions imposed for grant of bail. Therefore, it is prayed that the applicant be released on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case of the prosecution in brief is that the complainant Sandan Bhoi lodged an FIR that some unknown persons has committed theft in his house by stealing ornaments of gold and silver kept inside the boxes. During the investigation, some property has been recovered from this applicant on the basis of his memorandum, which has been identified by the complainant in TIP.
6. Considered the submissions made and the contents of the case diary. The applicant is local resident of Bilaspur and as it appears that there is no previous criminal antecedents against him so far and no purpose would be served, if the, applicant is kept in continuous detention. Taking into consideration such facts, 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 the Cr.P.C. is allowed.
8. It is directed that applicant 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge