

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7643 of 2017

- Vinay Sharma S/o Shri Virendra Sharma, Aged About 24 Years R/o Block No.103, House No.1645, Housing Board Colony, Boriyakala, P.S. Mujgahan Wrongly Mentioned As Gujgahan In The Order Sheet Of The Learned Court Below Civil And Revenue District Raipur, Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Mujgahan, Civil And Revenue District Raipur, Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant	:	Mr. K.K. Dewanagan, Advocate.
For Respondent/State	:	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

12/02/2018

1. This is the first bail application 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. 230/2017, registered at Police Station- Mujgahan, Civil and Revenue, District – Raipur(C.G.) for the offence punishable under Sections 380, 457/34 of IPC.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail 27.10.2017. No case is made out against him. He is local resident of District Raipur and the case is triable by JMFC. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that applicant has one another case of similar nature against him. It seems he is habitual offender, hence, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. Complainant Sharad Kumar Dhal has lodged FIR, that one LCD TV, one Aqua Guard, key of car, one Samsung mobile, one power bank, one charger and one Selfie stick of worth Rs.28,000/- in total, have been stolen from his place of residence by some unknown thief. During investigation, applicant and others were apprehended and at the instance of this applicant, some of the articles of theft were recovered from his possession. Hence, this case.
6. Considered.
7. As the case is triable by JMFC and applicant is local resident of District-Raipur, finding that there is no likelihood of his absconsion during the case pending against him, I am of this view that this is a fit case where applicant should be benefited with grant of regular bail during the pendency of trial against him.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. 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 Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge