

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7913 of 2018**

Kailash Shah S/o Late Shri Thakur Shah Aged About 43 Years R/o Bisani Chak Chandpur, Police Station And Tahsil Falka, District - Katihar, Bihar., District : Katihar, Bihar.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, District - Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicant	:	Ms. Sunita Sahu, Advocate
For the State	:	Shri Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**27/11/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.510/2017 registered at Police Station City Kotwali, District Raigarh (C.G.) for the offence punishable under Section 420/34 of IPC.
3. Case of the prosecution, in brief is that on 29/08/2017 at about 12.30 p.m. two unknown persons reached in the house of complainant Smt. Ritika Beriwal. They have obtained golden chain, two golden bangles, two golden rings, two pairs of anklets of silver, toe ring for cleaning from her. Thereafter they ran away from there along with said articles.
4. The complicity of the applicant has shown in his memorandum which has recorded in Crime No. 128/2018, Police Station City Kotwali, Dhamtari.
5. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
7. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge