

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 133 of 2018

- Deepak Thakre S/o. Anup Thakre, Aged About 19 Years R/o. Village Varun, Police Station Katangi, District Balaghat, At Present R/o. E.W.S./87, Kabir Nagar, Raipur Chhattisgarh, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Kasdol, District Baloda Bazar Bhatapara Chhattisgarh, Chhattisgarh.

----Respondent

For the Applicant : Shri Pushpendra Kumar Patel
Advocate.

For the Respondent/State : Shri Vinod Tekam, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13.03.2018.

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. 381/2016 registered at Police Station – Kasdol, District –Baloda Bazar-Bhatapara, (C.G), for the offences under Sections 454, 394, 414, 120 B of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, he is in jail since 18.10.2016. On the basis of material present in the charge-sheet, no case is made out against him. As per the information received 2 witnesses has been examined out of 21 witnesses named in the list of

prosecution case, hence, looking to the delay of conclusion of the trial, it is prayed that this applicant may be released on bail.

3. Learned counsel for the State opposes the bail application and the submission made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident 04 unknown persons trespassed in the residence of the complainant - (P. K. Sahu), after assaulting the complainant and others looted gold items and other ornaments and some cash amount as well from the possession of this complainant. After lodging of FIR the case has been registered against the present applicant and three others, and they were apprehended and the articles were seized from their possession and has been identified by the complainant. The present applicant and 3 others have also been identified by the complainant. After completion of investigation the case is before the trial Court.
6. More than 1 years has passed but the trial is not yet completed, because of which, this applicant is languishing in jail, hence, looking to the pendency of the trial against the present applicant, I am of the view that it is a fit case where he should be released on bail.
7. 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 trial Court, for his appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)
Judge