

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7950 of 2018

- Sonu Jain S/o Manohar Lal Jain, aged about 21 years, R/o Flat No. I.H.S.D.P. Colony Urla, Police Station- Mohan Nagar, Tahsil and District- Durg (C.G.)

---- Applicant

Versus

- State of Chhatisgarh Through- District Magistrate/Station House Officer, Police Station – Chavni, District Durg (C.G.)

---- Non-Applicant/State

For Applicant : Shri Tarun Dadsena, Advocate

For State : Shri Syed Majid Ali, Dy. Government Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14.11.2018

1. This is the first bail application filed under Section 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 14.07.2018 in connection with Crime No. 536/2018 registered at Police Station Chavni, District Durg (C.G.) for the offence punishable under Sections 379, 413, 414, 467 & 34 of IPC.

2. The case of the prosecution is that the present applicant and other co-accused persons were in business of selling electronic items like mobile and other similar product Online through OLX. The allegation against the present applicant is that one mobile which the applicant had sold to one Vinay Gupta- complainant was later on found to be a stolen property for which, they had received phone call from the police authority and later on a case was registered against the present applicant.

3. Counsel for the applicant submits that there are three accused persons out of which two have already been enlarged on bail. Counsel for the applicant further submits that it is a case that the applicant was already remained in custody for a period of more than four months and that the present applicant are innocent person and has been falsely implicated on account of having purchased the same stolen

property sold on OLX from someone else and thus, the applicant may be released on bail.

4. The State counsel, however, opposing the bail application of the applicant submits that it is an offence which is on the rise in society, therefore, the present applicant should not be released on bail at this juncture.

5. Having heard contention put forth by either side, particularly considering the period of custody and nature of allegation levelled against the present applicant, this court is of the opinion that the applicant has made out a fit case for grant of bail.

6. Accordingly, the application for grant of bail deserves to be and is allowed. It is ordered that the applicant shall be released on bail on his executing 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. The applicant shall thereafter appear before the trial Court on each and every date given by the said Court.

Sd/-

(P. Sam Koshy)
Judge