

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8128 of 2017

- Majhar Ali @ Tholu S/o Shri Chand Ali, Aged About 24 Years R/o Near Ramjani Baba Talapara, P. S. Civil Lines Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh , Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Civil Lines Bilaspur Civil And Revenue District Bilaspur Chhattisgarh , Chhattisgarh

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocates.
For Respondent : Mr. V.B. Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

06/03/2018

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.718/2017, registered at Police Station– Civil Lines, District– Bilaspur(C.G.) for the offence punishable under Sections 457, 380 and 511 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 25.9.2017. He is local resident of District-Bilaspur and has no criminal antecedent. He is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that applicant be enlarged on regular bail.
3. Learned State counsel opposes the bail application and submissions

made in this respect.

4. Heard both the parties and perused the case diary.
5. The complainant Kumud Kumar Arun Bank Manager has lodged FIR stating, that in the night on the date of incident some unknown persons attempted to commit theft in the ATM situated in front of the bank. During investigation, on the basis of CCTV footage, applicant was apprehended and, at his instance, some recovery of article has been made. Applicant along with two others have been arrested in this case.
6. Considering on the nature of offence committed and looking to the fact that he has no criminal antecedent and his availability before the trial Court shall not be compromised if they are enlarged on regular 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