

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8080 of 2018**

Lokeshwar @ Lokesh Shrivastava S/o Shri Kapil Shrivastava Aged About 25
 Years R/o Ward No. 03, Kailash Nagar, Kawardha Civil & Revenue
 District Kawardha (Kabirdham), Chhattisgarh.
--- Petitioner

Versus

State of Chhattisgarh through the Police Station Gandai Civil &
 Revenue District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent

For the applicant	:	Mr.Dinesh Tiwari, Advocate.
For the Respondent	:	Mr. D. R. Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****01.11.2018**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 304 of 2017 registered at Police Station Gandai, Distt. Rajnandgaon (C.G) for the offences punishable under Sections 457 & 380 of IPC.
2. As per the prosecution case, a report was made by one Ashish Tamrakar that in the intervening night of 9th & 10th of December 2017, theft was committed in his shop wherein the jewellery, ornaments, utensils along-with cash of Rs.7000 were stolen. Subsequently the applicant was arrested and on his memorandum, the documents were seized.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and there is no particular identification attached to the alleged recovery. He further

submits that other accused Rohit Shrivastava has been enlarged on bail in M.Cr.C.No.694/2018 by order dated 26.03.2018 passed by this court. He further submits that the charge sheet has been filed and the applicant is in jail since 17.12.2017, therefore, the present applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Considering the fact that the charge sheet has been filed and the applicant is in jail since 17.12.2017 and further looking to the nature of allegations levelled against the applicant, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE