

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8686 of 2018**

Komu Nishad S/o Leeladhar Nishad Aged About 20 Years R/o Ward No. 12, School Para Gunderdehi, Police Station Gunderdehi, District Balod Chhattisgarh, District : Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Ranchirai, District Balod Chhattisgarh, District : Balod, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri B.P. Singh, Advocate
For the State	:	Shri Sumit Jhawar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**29/11/2018**

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.49/2018 (wrongly mentioned as 40/2018) registered at Police Station Ranchirai, District Balod (C.G.) for the offence punishable under Sections 457, 380 of IPC.
3. Case of the prosecution, in brief is that in the intervening night of 21-22/07/2018 at village Achoud from the mobile shop of complainant Tikuram 26 mobiles, one tablet, electric instruments have been stolen by some unknown persons. Memorandum of applicant 19 mobiles, one tablet have been seized from him. Alleged seized mobiles have been identified by the complainant.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. 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 two solvent surety for a sum of Rs. 25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with a condition that he will not commit any offence in future, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge