

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 9332 of 2018

- Shamim Khan S/o Mufar Khan Aged About 38 Years R/o Village- Shahpur, Police Station- Kumarganj, District- South Dinajpur, West Bangal, Present Address- Sanjay Nagar, Raipur, Police Station- Tikarapara, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station- City Kotwali, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Non-applicant

For Applicant	: Shri P.K. Tulsyan, Advocate.
For Non-applicant	: Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

06.12.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 310/2018 registered at Police Station – City Kotwali, District- Dhamtari (C.G.) for the offence punishable under Sections 457, 380/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that In the intervening night of 4 / 5 -07-2018 at village Sorid from the house of complainant Anuradha Singh Dhruw one table, one titan watch, one pair golden bangle, one setup box of Tata Sky, one brass water pot have been stolen by some unknown person.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application and submits that three other cases have been registered against the applicant.
6. On the memorandum of applicant one golden bangle, one setup box of Tata Sky have been seized from him.
7. Looking to these 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 one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE