

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 637 of 2019**

Prem Kumar Dinkar S/o Lakeshwer Prasad Aged About 28 Years Caste By Satnami, R/o Navapara, Khurd, Police Station And Tahsil - Sakti, District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station - Sakti, District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri M.K. Baeg, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**13/02/2019**

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.428/18 registered at Police Station Sakti, District Janjgir-Champa (C.G.) for the offence punishable under Section 457, 380 of IPC.
3. Case of the prosecution, in brief is that in the intervening night of 26/27.07.2018 at village Nawaparakhurd from the house of the complainant Prakash Singh Thakur, some unknown persons have stolen Rs.1 Lakh cash, 4 golden rings, 4 silver rings, 4 artificial brass bangles, 1 Almirah, 1 gun and 1 battleaxe by breaking the lock of his house. On the memorandum of applicant one 12 bore gun and 1 live cartridge were seized from the possession of the applicant.
4. Other two co-accused have been released on bail by this Court on 03/01/2019 in MCRC No. 8819 of 2018. The case of applicant is not more severer. Applicant is in same footing as said co-accused were similar.
5. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.

6. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
7. 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 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 Court with the condition that he shall 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

Kamde