

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1122 of 2019

- Kalu @ Suraj S/o Shankar Rajak Aged About 20 Years R/o Ward No. 6, Barethpara, Khairagarh, Police Station Khairagarh, District Rajnandgaon, Chhattisgarh (In Jail)

----Applicant

Versus

- State Of Chhattisgarh Through Police Station Khairagarh, District Rajnandgaon, Chhattisgarh

----Non Applicant

For the Applicant : Shri Abhishek Pandey, Advocate

For the State : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

20/02/2019

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.297/2018 registered at Police Station Khairagarh, District Rajnandgaon (C.G.) for the offence punishable under Sections 457, 380, 34 of IPC.
3. Case of the prosecution, in brief is that complainant Bhupendra Singh is the salesman of Government Fair Price Shop of Ghotiya. In the intervening night of 17.10.2018 & 18.10.2018 two tablets of Samsung Company, cash of Rs. 1500/- were stolen by some unknown persons from that shop. On the memorandum of applicant Rs.35,000/- cash, one tablet of Samsung Company along with cover were seized from him. On the cover Ghotiya was written.
4. Learned counsel for the applicant submits that he has no criminal background. He is 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 similar type of 2 other criminal cases have been registered 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 applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall not involve in such type of crime in future, 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge

parul