

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1689 of 2019**

Prashant Kumar S/o Late Suman Kumar Aged About 28 Years R/o Village Chhalligarh, Police Station Rampur, District Gajapati Orissa, At Present Resident Of Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Telibandha Raipur, Civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Ms. Sunita Sahu, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**27/03/2019**

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.459/2018 registered at Police Station Telibandha Raipur, District Raipur (C.G.) for the offence punishable under Sections 457, 380, 411, 34 of IPC.
3. Case of the prosecution, in brief is that complainant Vindeshwar Kamat is the resident of Avanti Vihar, Raipur. In the intervening night of 18/09/2018 and 19/09/2018 some unknown persons have stole one gold necklace (Mangalsutra), two gold ear ring, one gold ring, silver ornaments and cash of Rs12,000/- from the house of complainant.
4. Learned counsel for the applicant submits that 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 five other similar type of criminal cases have been registered against the applicant.
6. On the memorandum of applicant one gold necklace (Mangalsutra) was seized from co-accused Sudarshan Pushti, two gold ear ring were seized

from the co-accused Rajendra Sahu, one gold ring was seized from the co-accused Jitendra Sahu. No identification proceeding was conducted regarding seized articles.

7. Though five similar type of cases have been registered against the applicant, but looking to the evidence available on record against the applicant, it is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned 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