

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1767 of 2019**

Munir @ Monirul Hak S/o Sheikha Mustafa Sheikh Aged About 23 Years R/o Purohit Bada, Near Gokul Mandir Budhapara, Raipur P. S. Sadar Bazar, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh .

---- Applicant

Versus

State Of Chhattisgarh Through The District Magistrate, Durg District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri T.K. Jha, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**18/04/2019**

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.15/2019 registered at Police Station Patan, District Durg (C.G.) for the offence punishable under Sections 457, 380, 411, 34 of IPC.
3. Case of the prosecution, in brief is that complainant is Anant Dewangan. Between 18/01/2019 and 19/01/2019, from Krishna Jewellers situated at Patan operated by his father Hari Prasad Dewangan, some unknown persons stole some golden ornaments, some silver ornaments and cash of Rs.6160/- from the said jewellery shop. On the memorandum of co-accused Aakash Kosre recorded in Crime No. 21/19 by Police Station Newai, some golden and silver ornaments worth Rs. 1,00,000/- have seized from him. In the case in hand no identification has been conducted regarding alleged seized articles.
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 no criminal antecedents against the applicant.

6. The trial Court was unnecessarily impressed from confessional statement of memorandum.
7. Looking to the above mentioned 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