

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2068 of 2019

- Ramgopal Sahu S/o Netram Sahu Aged About 36 Years R/o Village- Gadamor, Police Station- Saragaon, Presently R/o At Dumarpara, Police Station- Baradwar, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Baradwar, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Anil Gulati, Advocate.

For Non-applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board11.04.2019

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. 34/2019 registered at Police Station – Baradwar, District- Janjgir- Champa (C.G.) for the offence punishable under Sections 380, 457 of the Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Itwari Sahu, father in law of the applicant. The complainant is the resident of village Dumarpara. In the intervening night of 27/28 – 01 – 2019 from the house of the complainant some unknown person stole cash Rs. 1,35,000/- some gold and silver ornaments. On the memorandum of the applicant, Rs. 1,20,000/-, 5 gold lockets, 1 pair silver anklet were seized from him. During the identification, complainant identified alleged seized ornaments.
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, however, he submits that there is no antecedent against the applicant.
6. 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 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 will not involve in any 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