

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 2858 of 2019**

Md. Anis @ Golu, S/o Ilyas, Aged About 28 Years, R/o J.P. Nagar, Ward No. 22, Camp-2, Police Station- Chhawani, Bhilai, District- Durg, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through The Police Station- Supela, District- Bhilai, Chhattisgarh.

**---- Respondent**

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For Applicant : Ms. Laxmeen Kashyap, Advocate  
For State : Mr. Sumit Singh, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**29.04.2019**

Heard

1. This is the Second Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 22.06.2016 in connection with Crime No. 1096/2016 registered at Police Station Supela, District Durg (CG) for the offence punishable under Sections 380 & 457 of the IPC.
2. As per the prosecution case, a theft was committed in the house of one A.V. Sharan and an amount of worth Rs. 25,000/- was stolen including certain gold ornaments, earrings etc.
3. Learned counsel for the applicant would submit that this is the second bail application. The first bail application bearing MCRC No. 655/2017 was dismissed as withdrawn on 13.02.2017, with liberty to repeat the same after the examination of the seizure witness. Learned counsel for the applicant would

further submit that now the seizure witness Khumlal Sahu (PW 6) has been examined and he has not supported the case of the prosecution. She would further submit that the applicant is in jail since 22.06.2016 and the trial may take some time, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have perused the statement of Khumlal Sahu. Considering the same and the nature of allegations and further taking into fact that the applicant is in jail since 22.06.2016, without any observation on merits, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-  
**( Goutam Bhaduri )**  
Judge