

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3268 of 2019**

- Shekh Munir @ Shekh Munirul Haque S/o Shekh Mustaq Aged About 22 Years R/o Santoshi Nagar, Raipur, Police Station Tikrapara, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

**Versus**

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

---- Non-applicant

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For Applicant : Mr. Avinash Chand Sahu, Advocate.

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

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**Hon'ble Shri Justice Sharad Kumar Gupta**

**Order On Board**

**26.06.2019**

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. 861/2019 registered at Police Station – Durg District – Durg (C.G.) for the offence punishable under Sections 457, 380, 411, 414/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that the complainant Padmani Sahu is the resident of village Padnabhpur, Durg. On 19.10.2018 between 7 pm to 8:30 pm from her house some unknown persons stole golden ornaments, silver ornaments and cash Rs. 10,000/-. On the

memorandum of the coaccused Sanju Vaishnav some golden ornaments and silver ornaments were seized from the possession of the applicant. The articles were later on identified by the said complainant Padmani Sahu.

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 and submits that two other similar type of cases have been registered against the applicant.

6. Looking to the above mentioned facts and circumstances of the case, looking to the prima facie material available on record against the applicant, 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 similar 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**