

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3435 of 2019

- Intezaar Khan Nizaruddin, Aged About 30 Years, R/o Babhni, Ward No.12, P.S. and Tehsil- Bardiha, District- Garhwa, Jharkhand., District : Garhwa, Jharkhand

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer Surajpur, District Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

----Non-applicant

For Applicant – Shri Surfaraj Khan, Advocate.

For Non-applicant – Shri Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-07-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 08-02-2019 in connection with Crime No.13/2019, registered at Police Station Surajpur, District Surajpur, Chhattisgarh for offence under Section 379 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 08-02-2019. Charge sheet has been filed after completion of the investigation. Similarly placed co-accused Umarsad Khan @ Kabbu Khan has been granted bail by the coordinate Bench of this Court. Therefore, it is prayed that the application may be allowed.
3. Learned counsel for the non-applicant/State opposes the application submitting that this applicant has on memorandum stated about commission of various offences by him and other co-accused persons and also that this applicant is a habitual offender, therefore, his application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.

5. The FIR is lodged regarding theft of one Scorpio vehicle bearing registration No. CG 29 A 1582. During investigation this applicant was apprehended, interrogated and from his possession one Indica Car bearing registration No. OD 15 C 0264 was seized.

6. Considering on the entire material present in the case diary and for the reason that similarly placed co-accused has been granted bail by the coordinate Bench of this Court, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge