

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3464 of 2019

- Ganesh Ram S/o Gopiram Sahu, Aged About 24 Years, R/o Village Devarghatta, Police Station and Tehsil Dabhra, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgrh Through Station House Officer, Police Station Dabhra, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

----Non-applicant

For Applicant – Shri Amit Kumar Sahu, Advocate.

For Non-applicant – Shri Avinash K. Mishra, 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 31-01-2019 in connection with Crime No.46/2019, registered at Police Station Dabhra, District Janjgir-Champa, Chhattisgarh for offence under Section 395 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 31-01-2019. charge sheet has been filed after completion of the investigation. The applicant has not committed any offence, only for the reason that he was found on the spot the seizure has been made from him. Therefore, it is prayed that he may be granted bail.

3. Learned counsel for the non-applicant/State opposes the application submitting that this applicant alone was arrested from the spot while six others have absconded. Therefore, the application of this applicant may be rejected.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the FIR lodged, this applicant along with six others had made loot of iron angle and other articles and transported the same and thus committed offence of dacoity. Seizure of the looted property has been made from the possession of this applicant.

6. Considered on the entire material present in the case diary. As it appears that this applicant does not have any criminal antecedent and that the case is now before the trial Court pending for trial, therefore, I feel inclined to allow the 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