

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3537 of 2019

Guptesh Gopal @ Guddu, S/o. Suresh Gopal, Aged About 20 Years, R/o. Near Jai Mata Di Kirana Store, Bada Bhawani Nagar, Kota, Police Station Saraswati Nagar, Tahsil and District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station - Saraswati Nagar, Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. B.L. Sahu, Advocate
For Respondent/State	: Mr. Adil Minhaj, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

05/07/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.69/2019, registered at Police Station –Saraswati Nagar, Raipur, District – Raipur (C.G.) for the offence punishable under Section 457, 380, 34 of Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 27.03.2019. No case is made out against the applicant. Charge-sheet in this case has been filed after completion of investigation and the trial of the case is likely to take sometime. The applicant is 20 years old of young man. Therefore, it is prayed that the applicant be granted regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that all the recoveries have been made at the instance of the applicant and have been identified by the complainant. Therefore, no case is made out for grant of regular bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, theft was committed in the house of the complainant in which jeweleries of gold and cash amount were stolen by unknown person. During the investigation, the applicant was apprehended and on the basis of his memorandum statement, recovery of stolen articles have been made.
6. Considered on the submissions made and the contents of the case diary. After considering the facts and circumstances of the case, finding that applicant is young man of 20 years of age and he has no criminal antecedents, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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 trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge