

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3829 of 2019

- Khilesh S/o Gourishankar Aged About 22 Years Caste Satnami, R/o Ameri, Police Station Sakri, District- Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sakri Civil And Revenue District- Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Kaushal Yadav, Advocate.

For Non-applicant/State : Mr. Sanjay Pathak, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

28-08-2019

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 04.04.2019 in connection with Crime No.109/2019, registered at Police Station– Sakri, District- Bilaspur, Chhattisgarh for offence punishable under Sections 392 and 509 of Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant is in jail since 04.04.2019. Charge-sheet has been filed after completion of investigation. This applicant had not committed any offence. Therefore, it is prayed that this applicant be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that this applicant has a previous record regarding having been prosecuted for offence of theft, therefore, he is not entitled for grant of bail.

4. In reply, it is submitted that the applicant is in jail in previous case against him.
5. Heard learned counsel for the parties and perused the case diary.
6. According to prosecution case, F.I.R. has been lodged by complainant- Devendra Singh Thakur stating that this applicant on the point of knife has looted his mother Kanti Bai Thakur and has thus committed the theft of chain and another gold jewelery worth Rs.14,000/-. Hence, this case.
7. Considering that the charge-sheet has been filed and there is no requirement of keeping the applicant in continuous detention till the end of the trial. Therefore, I feel inclined to allow this application.
8. 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.
9. Certified copy as per rules.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge