

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4308 of 2019**

Tomesh Singh Thakur @ Monu S/o Kaushal Singh Thakur Aged About 25 Years R/o Bhawani Nagar, Kota, Police Station Saraswati Nagar, Raipur, Tahsil And District- Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Saraswati Nagar Raipur, Civil And Revenue District- Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri C.R. Sahu, Advocate.
For the Respondent/State : Shri Chandrabhushan Kesharwani, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.08.2019**

Heard.

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 of 2019, registered at Police Station – Saraswati Nagar, Raipur, District – Raipur, Chhattisgarh for the offence punishable under Sections 380 and 457/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 27.3.2019 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The applicant has not committed any offence and

he does not have any criminal antecedents. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

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

5. Complainant – Narendra Patidar has lodged FIR regarding theft of cash, jewelery and other articles worth Rs.48,500/- from his household. During investigation, some gold and other articles have been recovered from the possession of this applicant.

6. Considering the fact that the applicant does not have any criminal antecedents and the case is now pending for trial before the trial Court, I feel inclined to grant bail to the applicant in this case.

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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi