

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 4902 of 2019

- Munwar Khan S/o Late Mukhtar Khan Aged About 48 Years R/o Mudapar, Korba, Tahsil And District Korba (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Balco Nagar, District Korba (C.G.)

---- Non-applicant

For Applicant : Mr. Basant Kaiwartya, Advocate.
For Non-applicant/State : Mr. Arijit Tiwari, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-08-2019

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 24.03.2019 in connection with Crime No.108/2019, registered at Police Station– Balco Nagar, District- Korba, Chhattisgarh for offence punishable under Section 379/34 of Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that no case is made out against this applicant. Charge-sheet has been filed. Therefore, it is prayed that this applicant be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant has a previous criminal record of having been prosecuted for an offence under Section 143 of I.P.C., therefore, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.
5. According to prosecution case, F.I.R. has been lodged by one Shobharam, the Security Inspector in S.E.C.L., that some scrap worth Rs.50,000/- has been stolen from the yard of S.E.C.L. During investigation, some scrap has been recovered from the possession of this applicant.
6. Considering that the charge-sheet has been filed and the case is pending for trial, therefore, 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.
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.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge