

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5034 of 2019

Kirtan Lal Jangde, S/o. Dhan Singh, Aged About 35 Years, R/o. Village Rampur, Out Post Hardi, Bazar, Police Station Kusmunda, District Korba Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station Dipka, District Korba Chhattisgarh.

---- Respondent

For Applicant	: Mr. Dharmesh Shrivastava, Advocate
For Respondent/State	: Mr. Jitendra Shrivastava, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

21/08/2019

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.213/2018, registered at Police Station – Dipka, District – Korba (C.G.) for the offence punishable under Section 447, 395, 398, 353, 332 of the Indian Penal Code and Section 25 & 27 of Arms Act.
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 14.01.2019. Similarly placed co-accused persons Suraj Kumar Korram, Ishwar Singh, Mahesh Das Vaishnav and Purushottam Yadav have been granted bail. Therefore, it is prayed that the applicant may also be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, main accused Lal Singh and others committed theft of diesel in the vehicle in SECL, when they were accosted by the persons incharge of the area, these applicants challenged them by brandishing sword etc. and made their escape. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. This applicant has not named in the FIR. However, he had been identified later on. Further it appears that he has no criminal antecedents, hence for this reason, 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