

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4953 of 2019**

Sagar Tahalwani S/o Ramesh Tahalwani Aged About 21 Years R/o Jangalpara, Nagri, Post Office, Police Station And Tahsil - Nagri, District Dhamtari Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station - Nagri, District - Dhamtari Chhattisgarh.

---- Respondent

For the Applicant : Shri Shivendu Pandya, Advocate.
For the Respondent/State : Shri Jitendra Shukla, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****28.08.2019**

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.36 of 2019, registered at Police Station – Nagri, District – Dhamtari, Chhattisgarh for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 8.6.2019 and has been falsely implicated in this case. This applicant has not committed any offence. 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. It is submitted that this applicant has a previous record of having been proceeded under Section 107 read with Section 116 of Cr.P.C. Hence, for these reasons, the applicant is not entitled for grant of bail.

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

5. FIR has been lodged by complainant – Kunta Lal Nag get some unknown thieves who have stolen jewelery and cash from his house. After lodging of FIR, this applicant and one juvenile offender have been arrested and some recovery has been made from this applicant and juvenile offender.

6. Considering the fact that the applicant does not have any criminal antecedents of similar nature and the case is 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