

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5295 of 2019

- Kuleshwar Sahu, S/o Pardeshi Sahu, Aged About 18 Years, 7 Months, R/o Village Chandkhuri, Police Station Pulgaon, District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Newai, District Durg Chhattisgarh.

---- Respondent

For Applicant	:	Mr. P. R. Patankar, Advocate.
For Respondent	:	Mr. Jitendra Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

25/09/2019

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.126/2019 registered at Police Station–Newai, District– Durg(C.G.) for the offence punishable under Sections 457, 380/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 28.5.2019. He has not committed any offence. Charge-sheet has been filed, hence, it is prayed that he may be enlarged on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect.

4. Heard both the parties and perused the case diary.
5. According to prosecution case, theft of gold and silver jewelry was committed in the house of the complainant by unknown person. During investigation, this applicant was apprehended and interrogated and at his instance, recovery of some jewelry of gold and silver was made from his possession of worth Rs.21,500/-. Similarly, recovery of other articles have been made from one co-accused person.
6. Considering that this applicant does not have any criminal antecedent and his age is only 18 years, further, the case is now pending for trial. Therefore, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge