

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5127 of 2019**

Prateek Soni Son Of Ramyudhishtir Soni Aged About 31 Years Resident Of Jagriti Nagar, Birgaon, Police Station Khamtarai, Raipur, Tahsil And District Raipur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Khamtarai Raipur, Civil And Revenue District Raipur Chhattisgarh.

---- Respondent

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****03.09.2019**

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.208 of 2019, registered at Police Station – Khamtarai, Raipur, District – Raipur, Chhattisgarh for the offence punishable under Section 379 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 26.5.2019 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.
4. Heard counsel for both the parties and perused the case diary.
5. FIR was lodged by complainant – Smt. Varsha Bhosle stating that she had left her purse with cash and other articles inside the dickey of her moped at the time of incident which was stolen by some unknown person. During investigation, the applicant was apprehended and on the basis of his memorandum statement recovery of jewelery and cash has been made. Hence, this case.
6. Considering the fact that the applicant does not have any criminal antecedents and the case is now pending for trial, therefore, 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