

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5294 of 2019

- Yogesh Kumar, S/o Gaidram Sahu, Aged About 27 Years, R/o Village Hirmi, Police-Station-Suhela, District-Baloda Bazar Chhattisgarh. Presently Resident Of Behind Osho Restaurant, House Of Sourabh Sharma, Bhatagaon, Raipur, Police-Station-Purani Basti, District-Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gole Bazar Raipur Civil & Revenue District-Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Dashrath Kushwaha, Advocate.

For Respondent : Mr. Kapil Maini, 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.173/2019 registered at Police Station–Gole Bazar, Raipur, District– Raipur(C.G.) for the offence punishable under Section 380 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 13.7.2019. He has not committed any offence and there is no requirement to keep the applicant continuously in detention in jail, 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. It is submitted that all the property of theft was recovered from the possession of this applicant, therefore, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. FIR has been lodged by complainant that cash of Rs.3,88,000/- was stolen from the locker of his godown on the date of incident. During investigation, at the instance of this applicant, all the stolen cash amount has been recovered and seized from the possession of this applicant. Hence, this case.
6. Considering that the investigation is nearing completion and that there is no criminal antecedent of this applicant, 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