

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5432 of 2019

- Chandra Kumar Pandey S/o Shri Gopal Pande aged about 30 years, R/o Village- Mouharibhatha, Thana & Tahsil- Mahasamund, Civil & Revenue District- Mahasamund (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station -Mahasamand District Mahasamand Chhattisgarh.

---- Respondent

For Applicants : Shri Sumit Shrivastava, Advocate.
For Respondent/State : Shri Akhtar Hussain, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

16/10/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 100/2019, registered at Police Station – Mahasamund, District Mahasamund (C.G.) for the offence punishable under Sections 457, 380/34 of IPC.
2. As per the prosecution story, on 25.02.2019, a report was made by complainant Narendra Kumar Soni with the averment that on 23.02.2019 some unknown persons entered his house and committed theft of cash amount of Rs. 70,000/- and gold ornaments amount of Rs. 25,000/-. On the basis of this report, offences have been registered. During the course of the investigation, some of stolen ornaments have been seized from the possession of present applicant. He has been arrested on 03.07.2019.
3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case.

Though, some articles have been seized from his possession but no identification was made. He further submits that the Applicant has no criminal antecedent, he is in custody since 03.07.2019, charge-sheet has been already filed and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant has no criminal antecedent, he is in custody since 03.07.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge