

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5399 of 2019**

- Hemlal Pardhi S/o Banshilal Pardhi Aged About 32 Years R/o Village Sankara, Thana Amleshwar District Durg Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Tumgaon, District Mahasamund Chhattisgarh

---- Non Applicant

For the Applicant	:	Shri Vikash Pradhan, Advocate
For Non Applicant	:	Shri Suyash Dhar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****06.09.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.87/2018 registered at Police Station- Tumgaon, District- Mahasamund (C.G.) for the offence punishable under Sections 457, 380/34 of Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Hitesh Kumar Chandrakar is a resident of village Malidih. In the intervening night of 13/14.05.2018 from the house of said complainant, some unknown persons had stolen some golden ornaments and silver ornaments. On the memorandum of applicant recorded in Crime No.0/2018 by Police Station Kotwali, Mahasamund, two pair of golden tops, one pair of

golden earrings, two golden lockets, 7 silver anklets were seized from him. During identification of seized articles, the said complainant has identified his articles.

4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. He further submitted that two other criminal cases of similar types have been registered against the applicant in police case diary.
6. This Court earlier granted the bail to co-accused Anand Pardhi, Yugal Dheewar and Suraj Bhan Pardhi. The case of applicant is identical to them and not more severe to their case.
7. Looking to the above mentioned facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- to the satisfaction of the concerned Court with the condition that he will not involve in any similar type of crime in future, he will appear before the trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

PM