

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5627 of 2019

- Irfan Ahmad S/o Barar Ahmad Aged About 35 Years R/o Besides Inder Kirana Stores, Shyaam Nagar Jal Vihar, Police Station - Telibandha District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station - Kabir Nagar, District - Raipur Chhattisgarh.

---- Respondent

For Applicant : Shri Akash Kumar Kundu, Advocate
For Respondent/State : Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/11/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.40/2019 registered at police station Kabir Nagar, District Raipur (CG) for the offence punishable under Sections 457,380 and 34 IPC.

Case of the prosecution in brief is that the applicant along with co-accused has committed theft in dwelling houses.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He further submits that the prosecution has failed to bring home the ingredients of the charges as levelled against him. He submits that the applicant is in jail since 05.05.2019;

charge sheet has already been filed, and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge