

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 478 of 2020

- Lokesh Kumar Sahu S/o Siya Ram Sahu, Aged About 25 Years, R/o Village Beltukari, P.S. Rajim, District Gariyaband Chhattisgarh, District : Gariyabandh, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through - The Station House Officer, Police Station Rajim, District Gariyaband Chhattisgarh, District : Gariyabandh, Chhattisgarh

----Non-applicant

For Applicant – Shri Raghavendra Pradhan, Advocate.

For Non-applicant/State – Shri Jitendra Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-01-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 17-12-2018 in connection with Crime No.336/2018 registered at P.S. - Rajim, District Gariyaband, Chhattisgarh for the offence under Section 450, 380 of the IPC.

2. It is submitted on behalf of the applicant that this is second application filed by the applicant before this Court for grant of regular bail. His earlier application for grant of regular bail, MCRC No.1974/2019 was dismissed as withdrawn on 23-07-2019 and liberty was granted to file repeat application after completion of one year and the applicant is in jail since 17-12-2018. He has not committed any offence. The trial against him is still pending. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that commission of offence by this applicant has gravity because he has committed theft in the Bank. Therefore, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, some unknown thief committed theft of Rs.9,80,000/- from the box which was kept inside the Rural Cooperative Bank. After lodging of the FIR this applicant has been apprehended and on interrogation he has led to discovery of articles and cash amount. Hence, this case.

6. Considering that this applicant does not have any criminal antecedent and he is in jail since more than one year and the trial against him has still not concluded, therefore, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge