

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1396 of 2020

Abhishek Kumar S/o Vijay Prasad Aged About 28 Years R/o Village Badhauna, Post And Police Station Sakurabad, Tahsil Ratani, District Jahannabad (Bihar)., District : Jehanabad, Bihar --- **Petitioner**

Versus

State of Chhattisgarh through Station House Officer, Police Station Bhilai Bhatti, Civil and Revenue District Durg Chhattisgarh. --- **Respondents**

For the applicant	:	Mr. Pushpendra Kumar Patel, Advocate.
For the Respondent	:	Mr. Ayaj Naved, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.05.2020

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.16/2020 registered at Police Station Bhilai Bhatti, District Durg (C.G) for the offences punishable under Sections 380, 120-B of IPC.
2. As per the prosecution case, a report was lodged by one Ravi Shankar Kushwaha that certain contract work was done at TPL Area under the BSP Contract and after completing erection and commissioning works, 10 drum copper cables were kept there. It is alleged that on 17.01.2020 some unknown persons have committed theft of 5 drum copper cables. Subsequently on the basis of complaint, the offence was registered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and arrested on 22.01.2020. He submits that charge sheet has been filed in this case and no further investigation is necessary and further the offences are triable by the Magistrate,

therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Considering the nature of allegations against the applicant and the fact that the offence is triable by the Magistrate, charge sheet has been filed and no further investigation is necessary as also the fact that the applicant is in jail since 22.01.2020, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao