

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3565 of 2020

- Jawed Khan Urf Babu Kundru S/o Atta Ulla Khan aged 25 years, Occupation Labour work, R/o Bharat Chowk Talapara Thana Civil Line, District Bilaspur (CG)

---- Applicant

Versus

- State of Chhattisgarh, SHO Civil Line, P.S. Civil Line, Bilaspur (CG)

---- Respondent

 For Applicant : Shri Dheerendra Pandey, Advocate
 For Respondent/State : Shri Raghvendra Verma, G.A.

Hon'ble Smt.Justice Rajani Dubey
Order On Board

20.07.2020

1. Heard.
2. Admit.
3. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 56/2020, registered at Police Station, Civil Line, District Bilaspur (CG) for the offence punishable under Sections 380, 457 of the IPC.
4. As per the case of prosecution, complainant lodged a report against unknown person that on 29.1.2020 while he had gone to market along with his daughter, somebody broke open the lock of his house and committed theft of gold and silver ornaments and cash from the Almirah, total amounting to Rs.52,000/- The matter was investigated and the applicant has been arrested.

5. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He further submits that the co-accused has been released on bail in MCRC No. 3341/2020 and the applicant is in jail since 01.2.2020 and trial is likely to take some time for its final disposal, therefore, the applicant may be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application. He submits that the applicant is a habitual offender.
7. Perused the entire material available on record.
8. Considering the facts and circumstances of the case, in particular the nature of offence and further considering the fact that the co-accused has been released on bail; charge sheet has been filed and trial is likely to take some time for its final disposal, I am of the opinion that present is a fit case to release the applicant on bail.
9. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
10. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
11. Certified copy as per rules.

Sd/-

(Rajani Dubey)
JUDGE