

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.3851 of 2020

- Gyanendra Patel, S/o Gulab Singh, Aged About 23 Years, R/o S. F. Colony, Durg, Tahsil and District Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Bhilai Nagar, District Durg, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri H. K. Agrawal, Advocate
Ms. Fouzia Mirza, Addl. AG

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

27/08/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.159/2020, registered at Police Station Bhilai Nagar, District Durg (C.G.) for the offence punishable under Section 392 read with Section 34 of IPC.
2. The applicant has allegedly snatched golden chain valued at Rs.40,000/- from the complainant G. C. Kamlawali when she was on morning walk at 7:35 am on 26.07.2019.
3. Learned State counsel would oppose the bail application on submission that apart from the present case, there are 6 other cases similar in nature registered against the applicant.

4. Admittedly, the FIR has been lodged on 21.03.2020 i.e. after a delay of about 7 months.
5. Learned counsel for the applicant would rejoin to argue that in 3 other crime numbers, the applicant has already been released on bail.
6. Considering the delay in lodging the FIR and for the fact that the offences are triable by the Judicial Magistrate First Class and the applicant is in jail since 23.03.2020, this Court is inclined to release the applicant on bail on condition, in addition to others, that the applicant shall appear before the concerned police station on 1st day and 15th day of every month during pendency of the trial.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
8. If the applicant commits any other crime of similar nature during pendency of the present trial, this bail order shall lose its efficacy and the applicant shall be taken into custody forthwith by informing the concerned Judicial Magistrate.

Sd/-
Prashant Kumar Mishra
Judge