

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.5563 of 2020**

- Prince Kumar @ Raja S/o Sant Ram Rathore Aged About 21 Years R/o Behind Saraswati Shinshu Mandir, Sharda Chowk, Janjgir, P.S. Janjgir, Dist.- Janjgir-Champa, (C.G.), District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through S.H.O., Police Chowki Naila Dist.- Janjgir-Champa, (C.G.), District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant	:	Shri Ravindra Sharma, Advocate
For Respondent/State	:	Shri Alok Bakshi, Additional AG

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****09/10/2020**

Heard.

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.312/2020 registered at Police Chowki Naila, Police Station Janjgir, District Janjgir-Champa for the offence punishable under Section 381, 411, 34 of the IPC. The applicant was arrested on 13-07-2020.
2. Prosecution case is that the present applicant along with other co-accused committed theft of water pump and crackers kept in the godown, which was reported by the owner and on the basis of this report, all the employees including the present applicant were arrested and they are being prosecuted.
3. Learned counsel for the applicant would submit that on suspicion, when certain articles were found missing in the godown, the employer lodged a report against all the employees including the present applicant. He further submits that the applicant has been falsely implicated in this case. It is also submitted that looking to the value of the article allegedly stolen by the applicant and the fact that the investigation is complete, charge sheet has been filed and the applicant is in jail since 13-07-2020, he may be granted bail.
4. On the other hand, learned counsel for the State/non-applicant opposes

the bail application by submitting that a prima facie case is made out against the applicant regarding theft of water pump and other articles of total value of Rs.44,000/- recovered from the possession of the applicant, which shows that the applicant was also involved in the alleged theft.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the value of the articles allegedly recovered from the possession of the applicant and further that the investigation is complete, charge sheet has been filed and the applicant is in jail since 13-07-2020, I am inclined to enlarge the applicant on bail.

6. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.25,000/- along with one local surety of the like amount to the satisfaction of the concerned trial Court on the condition that he shall appear before the trial Court regularly on each and every date of hearing, unless exempted.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
Judge