

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.5987 of 2020**

- Vicky Bharat Chanore S/o Bharat Chanore Aged About 23 Years Caste-Badhahi, R/o Mamta Nagar, Pardi, Police Station Pardi, District Nagpur, Maharashtra

---- Petitioner

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Charama, District- Kanker, Chhattisgarh

---- Respondent

For Applicants : Shri Sandeep Yadav, Advocate
 For Respondent/State: Shri Dinesh Tiwari, Dy.GA

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****05/11/2020**

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.131/2020 registered at Police Station Charama, District Kanker for the offence punishable under Section 457 & 380 of the IPC. The applicant was arrested on 22-07-2020 respectively.
2. Case of the prosecution is that the applicant had stolen mobile, memory card, computer set, ear phone and also cash of Rs38,000/-, total valuation of the property is stated to be Rs.1,50,000/-.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He submits that the police has prepared false seizure from the applicant. It is lastly submitted that at this stage, when investigation is complete, charge sheet has been filed and that the applicant is in jail since 22-07-2020, he may be granted bail.
4. On the other hand, learned State counsel opposes the bail application by submitting that recovery of stolen article from the possession of the applicant prima facie involves the applicant in the alleged offence.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the total valuation of the article alleged to be stolen is Rs.1,50,000/- and considering that the investigation is complete, charge sheet has been filed and the applicant is in jail since 22-07-2020, I am inclined to enlarge the applicant on bail.

6. Accordingly, the bail application(M.Cr.C.Nos.5987 of 2020) is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one local surety for the like amount to the satisfaction of the Trial Court on the condition that he shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

SD/-
(Manindra Mohan Shrivastava)
Judge