

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6590 of 2020**

- Tikam S/o Rajeshwar Prasad Sahu Aged About 32 Years Resident Of Sakri, Police Station- Mandir Hasaud, Raipur, District- Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Palari, District- Balodabazar-Bhatapara, Chhattisgarh

---- Respondent

For Applicant : Shri Rakesh Pandey, Advocate

For Respondent/State : Shri Gagan Tiwari, GA

Hon'ble Shri Justice Goutam Bhaduri**Order****16/12/2020**

1. Heard.
2. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 27.08.2020 in connection with Crime No.263/2020 registered at Police Station Palari, District Balodabazar-Bhatapara (CG) for the offence punishable under Sections 457, 380, 511 of Indian Penal Code.
3. As per the prosecution case, on 06.07.2020 the applicant along with the other co-accused tried to commit theft by causing damage to the ATM, however, they were subsequently caught on the basis of the CCTV footage.
4. Learned counsel for the applicant submits that no direct evidence is available

against the applicant and no witness is present and only on the basis of the CCTV footage the applicant has been inculpated. He would further submit that the co-accused has been enlarged on bail and the charge-sheet has been filed in this case, therefore, the applicant may be released on bail.

5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the fact that the applicant is in jail since 27.08.2020 and the charge-sheet has been filed in this case, I am inclined to release the applicant on bail.
7. Accordingly, the 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 trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu