

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7530 of 2020**

- Dayanand Sarthi S/o Late Chamruram Aged About 35 Years R/o Gevra Basti, Sarthi Mohalla, Thana Kusmunda, District Korba (Chhattisgarh)

**---- Applicant****Versus**

- State Of Chhattisgarh Through The District Magistrate, District Korba (Chhattisgarh)

**---- Respondent**


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|---------------|---|---------------------------------|
| For Applicant | : | Shri Vijay Kumar Sahu, Advocate |
| For State     | : | Smt. Hamida Siddiqui, Dy.A.G.   |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava****Order On Board****10/12/2020**

Heard.

1. The applicant has been arrested in connection with Crime No.381/2020 registered at Police Station – Kusmunda, District – Korba (C.G.) for alleged commission of offences under Section 380, 457 of IPC.
2. Prosecution case is that the applicant and the co-accused entered the house of the complainant and from there, they have stolen number of cooking utensils and also an empty gas cylinder.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated. It is submitted that investigation is complete, charge sheet has been filed and there are no criminal antecedents of the applicant, therefore, he may be granted bail.
4. On the other hand, learned State counsel opposes prayer and submits that a *prima facie* case is made out because from the present applicant, number of cooking utensils and empty gas cylinder have been seized.

5. Taking into consideration the submission of learned counsel for the parties, nature of allegations and that investigation is complete, charge sheet has been filed and there are no criminal antecedents of the applicant, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that -

- a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) He shall not make any attempt to tamper with the prosecution witnesses.

Certified copy as per rules.

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