

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 309 of 2021

- Saurabh Burande, Aged about 30 years, S/o Chandrakant Burande, R/o Karrapara, Mahasamund (C.G.)
At Present- Parwati Nagar, Thakkar Chowk, Gudhiyari, Raipur, Tahsil and District – Raipur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through – Police Station GRP, Raipur, District- Raipur (C.G.)

---- State/Non-applicant

For Applicant	:	Shri Pushkar Sinha, Advocate
For Non-Applicant/State	:	Shri Vaibhav Singh, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

24.02.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 17.12.2020 in connection with Crime No. 117/2020 registered in Police Station- GRP, Raipur, District Raipur (CG) for the offence punishable under Section 379 of IPC.
2. Prosecution case in brief is that on 27.11.2020 complainant Prathibha Khakse was traveling to Korba from Nagpur by Trivendram Express, during travel when the train halted near W.R.S. Colony, one unknown person stole her purse in which she had kept mobile-phone of Lava Company, golden chain, two rings, 4,000/- cash, key of her home, ATM card and Aadhar Card & Voter ID of her daughter. Complainant lodged report against unknown person in Police Station of GRP, Raipur. During investigation, the present applicant was taken into custody and on his memorandum statement, stolen property of complainant were seized.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 17.12.2020 and conclusion of the trial is likely to take some time. Therefore, the applicant be

released on bail.

4. On the other hand, learned counsel for the State opposes the bail application. He submits that there are three previous criminal antecedents of applicant of the years 2013, 2014 & 2015 registered in GRP under the Sections of IPC & Arms Act.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the detention period of the present applicant, conclusion of the trial is likely to take some time, and that there is no apprehension of the applicant tampering with the evidence or absconding, without expressing any opinion on merits of the case, the application is allowed.
6. It is directed that in the event of applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-
 - i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
 - ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - iv. he shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge