

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1969 of 2021

Kamlesh Patel, S/o. Komal Patel, Aged About 22 Years, R/o. Near Gurudwara, Pandri Khandhar Pandri, Raipur, District Raipur (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station – Civil Line, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. C.R.Sahu, Advocate

For Respondent : Mr. Gagan Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

07.07.2021

1. 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 in connection with Crime No.80/2021 registered at Police Station Civil Line, Raipur, District Raipur, for the offence punishable under Section 379 of Indian Penal Code.
2. As per the prosecution case, on 11.02.2021 the applicant committed theft of the cable light wire of G.K.Company from the electric pole and subsequently, when the applicant was arrested, it was recovered from his possession.
3. Learned counsel for the applicant would submit that the applicant is in jail since 17.02.2021 and considerable time has passed. He further submits that the charge sheet has been filed and no further investigation is required; therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that another like nature of case under

Section 379 and under the Arms Act registered against the applicant.

5. Considering the nature of allegation and the fact that the applicant is in jail since 17.02.2021 and the charge sheet has been filed, no further investigation is required, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge