

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2337 of 2021

- Pawan Kumar Pavle S/o Dilharan, Aged About 30 Years Caste Gond, R/o Village Kokrimjhareta, Police Station Pathariya, District Mungeli (Chhattisgarh) Present Address- Talapara, Police Station Pali, District Korba Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Pali, District Korba Chhattisgarh

---Respondent

For Applicant – Shri Dharmesh Shrivastava, Advocate.

For Respondent/State – Shri Gagan Tiwari, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/07/2021

Heard.

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 on 02.02.2021 in connection with Crime No. 37/2021 registered at Police Station- Pali, District Korba C.G. for the offence punishable under Sections 457, 380 of I.P.C.
2. As per the prosecution case in between 20.12.2020 to 02.02.2021 the applicant committed theft at one Murari General Store of Cigarettes and Pan Masala. Subsequently, when the complainant opened the shop it came to notice and further the cigarette and pan

masala were recovered from the applicant.

3. Learned counsel for the applicant submits that there is no evidence against the applicant and the nature of seizure made is available in the open market and there was no identification mark and the applicant is in jail since 02.02.2021, charge sheet is already filed, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the nature of seizure and further considering that the charge sheet has been filed and the applicant is in jail since 02.02.2021, I am inclined to release the applicant on bail.
6. Accordingly, the bail 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