

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2811 of 2021

- Pokhan Lal Sahu S/o Kharak Ram Sahu Aged About 45 Years Resident Of Panduka, P.S. Panduka, District Gariyaband (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ranchirai, District Balod (C.G.)

---- Respondent

For Applicant	:	Mr. Pushpendra Kumar Patel, Advocate.
For Respondent/State	:	Mr. Raghvendra Verma, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

26/05/2021

Heard.

Admit.

1. Learned counsel for the State submits that case diary is available.
2. Both the learned counsel for the parties have agreed to make their final submissions.
3. This is the *first* bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.91/2020 registered at Police Station – Ranchirai, District - Balod (C.G.) for the offence punishable under Sections 379, 120-B of IPC.
4. It is submitted that the applicant has been falsely implicated in this case. After completion of investigation charge sheet has been filed.

The applicant has already been released on parole as per the committee constituted by the directions of the Supreme Court in Suo-moto W.P. No.01/2020.

5. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that looking to the evidence available on record and that the applicant has criminal antecedents, the applicant is not entitled for grant of bail.
6. I have heard the learned counsel for both the parties and perused the case diary.
7. According to the prosecution case, this applicant had stolen a trolley of the complainant and had concealed the same in his farm, which has been recovered by the police after lodging of the FIR.
8. Considered on the submissions. Taking into consideration the facts of the case and that the applicant had also benefited by grant of bail by the orders of the Hon'ble Supreme Court, I feel inclined to allow the application of this applicant.
9. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
10. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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. In case the bail bonds earlier furnished by applicant for his release on parole as per the communication of Supreme Court in Suo-moto W.P. No.1/2020, and by the decision of High Powered Committee constituted in this respect, the same shall continue to be in force and remain effective and there shall be no requirement for furnishing fresh bail bonds as directed in

this order.

11. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Vacation Judge

Yasmin