

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7776 of 2020

Jitendra Kumar Sahu S/o Nehru @ Poshan Sahu Aged About 36 Years R/o
Sondongri , Police Station Kabirnagar, District Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station
Khamtarai, District Raipur Chhattisgarh

---- Respondent

For Applicant	:	Shri Y.C. Sharma, Advocate
For Respondent/State	:	Smt. Fouzia Mirza, Additional A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/01/2021

Heard.

1. The applicant has been arrested in connection with Crime No.418 of 2020 registered at Police Station- Khamtarai, District Raipur (CG) for the alleged commission of offence under Section 379, 411 of IPC.
2. Case of the prosecution is that the applicant has been involved in the offence on the basis of purchasing stolen article though the applicant was knowing the property which is stolen one.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated. He would next submit that investigation is complete, charge-sheet has been filed and that the applicant is in jail since 28.09.2020 and that the applicant has no criminal antecedent of commission of similar offence, therefore, the applicant may be granted bail.
4. On the other hand, learned counsel for the State opposes the prayer and submits that recovery of stolen motorcycle from the possession of the applicant, makes out a prima facie case against the applicant.
5. Taking into consideration the submissions made by learned counsel for the

parties, considering the nature of allegation and further considering that the investigation is complete, charge sheet has been filed and the applicant is in jail since 28.09.2020, I am inclined to grant bail to the applicant.

6. The application is accordingly 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 one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:-

- (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Manindra Mohan Shrivastava)
Judge