

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7414 of 2021**

Bodhan Lal Sahu @ Lalji Sahu, S/o Shri Anand Ram Sahu, Aged about-25 Years, R/o. Village – Gongal, P.S. Patewa, District Mahasamund (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Patewa, District Mahasamund (C.G.)

----Non-applicant

For Applicant	:	Mr. Rishi Sahu, Advocate.
For Non-applicant	:	Mr. B.P. Banjare, Dy. Govt. Advocate.

Hon'ble Mr. Justice N.K. Chandravanshi**Order On Board****10-11-2021**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail in connection with Crime No. 210/2021 registered at Police Station Patewa, District Mahasamund (C.G.) for the offence punishable under Section 379 read with Section 34 of the IPC.

(2) Case of the prosecution, in brief, is that complainant Sankalp Gajendra lodged FIR at Police Station Patewa alleging therein that in the intervening night of 19.8.2021, his TVS Jupiter Scooty bearing registration No. CG-05-AK-1057 worth Rs.50,000/- has been stolen by some unknown person. During investigation, applicant and two other co-accused persons were arrested and on the basis of memorandum statement of co-accused – Shekhar Patel, theft article i.e. TVS Jupiter Scooty was seized from the possession of Shekhar Patel, who has stated in his memorandum that theft was committed by him along with present applicant and another co-accused Krishna Kumar & Krisha. Based on which, the present crime was registered against the

applicant.

(3) Learned counsel appearing for the applicant would submit that the applicant has not committed alleged crime and he has been falsely implicated in the crime in question, as alleged TVS Jupiter Scooty has not been seized from his possession. He would further submit that applicant is languishing in jail since 23.8.2021; charge sheet has already been filed and the offence registered against the applicant is triable by Judicial Magistrate, First Class, therefore, the applicant may be enlarged on regular bail.

(4) Per contra, counsel for the State opposes the bail application.

(5) Considering the facts & circumstances of the case; nature & gravity of the offence, further considering the facts charge-sheet has already been filed; detention period of the applicant; and the offence registered against the applicant is triable by Judicial Magistrate, First Class, I feel inclined to allow the bail application filed by the applicant. Accordingly, the bail application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond for a 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 to him by the said Court.

Certified copy, as per rules.

Sd/-

(N.K.Chandravanshi)
Judge

D/-

