

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8738 of 2021

Raju Mahlor S/o Somar Mahlor Aged About 35 Years R/o Sajna, District - Chatra, Jharkhand,

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station - Takhatpur, District - Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Siddharth Shukla, Advocate
For Respondent – State	:	Shri B.P. Banjare, Dy. G.A. for the State

Hon'ble Shri Justice Deepak Kumar Tiwari

Order On Board

16.12.2021

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.321/2021, registered at Police Station Takhatpur, District – Bilaspur (CG) for the offence punishable under Section 420 of the IPC.
2. As per the prosecution case, the applicant is a street vendor. The FIR has been lodged by the complainant on 02.08.2021 that the accused has snatched the gold chain and one steel utensil under the grab of cleaning them.
3. Learned counsel for the applicant submits that the applicant is innocent and he is falsely implicated in the present case. The applicant is in jail since 03.08.2021, charge sheet has been filed, the offence is triable by JMFC and the trial is likely to take some time, therefore, he may be enlarged on

bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, particularly considering the period of detention of the applicant and that only on the memorandum of the applicant the jewelery has been seized, further that there is no likelihood of the applicant tampering with the prosecution evidence or absconding and offence is triable by JMFC conclusion of trial may take some time, the application is allowed.
6. It is directed that in the event of the Applicant's executing a personal bond for a sum of Rs.20,000/- with two sureties in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions :-
 - (a) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
 - (b) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial,
 - (d) the Applicant and the surety shall submit a copy of their adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.
 - (e) he shall not involve himself in any offence of similar nature in future.

Sd/-

(Deepak Kumar Tiwari)
Judge

Yasmin