

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6405 of 2015

Sayyad Akram @ Chhote S/o. Sayyad Israil, aged about 24 years,
R/o. Ward No. 8, Musalmanpara, Nevra, Post Office, Police Station
and Tahsil Tilda, District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through the Station House Officer, Police
Station- Nevra, District – Raipur (C.G.)

---- Respondent

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| For Applicant | :- | Shri Shivendu Pandya, Advocate |
| For Respondent/State | :- | Shri Arvind Shukla, Panel Lawyer |

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

30/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 114/2010, registered at Police Station – Nevra, District Raipur (C.G.) for the offence punishable under Sections 379,411/34 of IPC.
2. As per the prosecution case in brief is that the applicant alongwith the other co-accused have stolen the tractor and trolley bearing registration No.CG/04/D/2167 from Tilda. This incident was subsequently reported to the Police, on the basis of which, the applicant and the other co-accused were arrested on 18.09.2015 and on the memorandum of both the persons, the trolley was recovered from Mahasamund.
3. Counsel for the applicant submits that the applicant has been falsely implicated in the case and he is in jail since 18.09.2015. He further submits that the charge sheet in this case has been filed and therefore, he prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact and the nature of allegation leveled against the applicant. Considering the fact that the seizure has already been made in this case and the applicant is in jail since 18.09.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on 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.

Sd/-
(Goutam Bhaduri)
Judge