

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 332 of 2016

1. Ibrahim, S/o. Abdul Rasid Musalman, aged about 40 years, R/o. Talapara, Bharat Chowk, Bilaspur, Police Station – Civil Line Bilaspur, District (Revenue and Civil) – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Sirgitti, Bilaspur, District – (Revenue and Civil) – Bilaspur (C.G.)

---- Respondent

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| For Applicant | : Mr. Anand Kesharwani, Advocate |
| For Respondent/State | : Mr. Ashutosh Pandey, Panel Lawyer |

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/01/2016

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.192/2015, registered at Police Station – Sirgitti, District – (Revenue and Civil) – Bilaspur (C.G.) for the offence punishable under Section 380 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made on 23.07.2015 by Pravin Kumar Patel, who was running the business of manufacturing and sale of bricks that while he was reaching on 27.08.2015, he saw that iron frames of the bricks were stolen which were casting Rs.90,000/- and thereafter, the report was made and from the possession of the applicant, 34 plates were recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that the plates which was recovered were general in nature which are available

in the market, and it is not belonged to the complainant. He would further submit that charge-sheet in this case has been filed and the applicant is in jail since 22.12.2015, therefore, the counsel 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 facts and circumstances of the case, the degree of allegation levelled against this applicant and the fact that charge-sheet in this case has been filed and the applicant is in jail since 22.12.2015, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge