

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7950 of 2017

Yashwant Singh Thakur S/o Pitambar Singh Thakur, Aged About 28 Years R/o Bombay Awas, Block C/04, Devnagar, P. S. Koni, District Bilaspur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Koni, District Bilaspur Chhattisgarh

---- Respondent

For the applicant : Shri Pitambar Singh Thakur, father of the applicant who has filed the affidavit on behalf of the applicant is present in person.

For Respondent : Mr. R.N. Pusty, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

23/12/2017

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 318/2017 registered at P.S. Koni, District Bilaspur (C.G) for the offence punishable under Sections 457,380 of the IPC.
2. Case of the prosecution, in brief, is that a complaint was made by Kantilal Kashyap wherein it is alleged that the applicant has stolen 15 Kg iron rods from his house which was seized from the possession of the applicant. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the applicant is in jail since 24-10-2017 and the trial will take sufficient time to be concluded, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Having regard to the fact that the seizure has already been made from the applicant and further taking into the fact that the applicant is jail since 24-10-2017, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. C.C. today.

Sd/-
(Ram Prasanna Sharma)
Winter Holiday Judge

Santosh