

(2018) 07 CHH CK 0221

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 4371 Of 2018

Aditya Pandey

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: July 16, 2018

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 392

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: VR Tiwari, SK Mishra

Final Decision: Allowed

Judgement

Goutam Bhaduri, J

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 on 09.04.2018 in connection with Crime No.301/2018 registered at Police Station Civil Line, Bilaspur (CG) for the offence punishable under Section 392 IPC.

2. As per the prosecution case, on 09.04.2018, the complainant Ku. Kavita Shesh was going back to her home, at that time, the applicant who was in a motorcycle bearing registration No.C.G. 07 HH 7112, snatched the bag and tried to flee away, however, he was subsequently caught hold of and handed over to the police.

3. Learned counsel for the applicant submits that the applicant belongs to a reputed family and is only aged about 19 years and he has not committed

the crime, the actual offence has been committed by the person who was driving the vehicle. He further submits that the charge-sheet in this case has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Considering the facts & circumstances of the case and also taking into that the charge-sheet has been filed, the nature of allegation and further the applicant is in jail since 09.04.2018 and the offences are triable by JMFC, I am inclined to release the applicant on bail.

6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in 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 by the said Court.