

AFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5089 of 2015**

- Praveen Gupta S/o Ashok Kumar Gupta Aged About 26 Years
Occupation Electrician, R/o Village Sakarboga, P.S. - Chakradhar
Nagar, Tahsil & District Raigarh Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through P.S. - City Kotwali, District - Raigarh
Chhattisgarh

---- Non-applicant

For Applicant	:	Mr. Sudeep Agrawal, Advocate
For Non-applicant	:	Mr. Vijay Bahadur Singh, Panel Lawyer

Hon'ble Shri Justice I.S. Uboweja
Order on Board

01/10/2015

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.616 of 2015, registered at Police Station- City Kotwali, District Raigarh (CG), for the offence punishable under Section 414 of the IPC.
2. Case of the prosecution, in brief, is that, the applicant was found in unauthorized possession of 19 mobiles, which were probably collected by means of theft.
3. Learned counsel for the applicant submits that the applicant is in custody from 29.06.2015. He further submits that the applicant has falsely been implicated in the case, and therefore, the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; that it is first offence of the applicant and he is in custody from 29.06.2015 and case is triable by the Judicial Magistrate First Class and trial is likely to take some more time and further taking into account the nature and gravity of offence and plea raised by the applicant that he has falsely been implicated in case, I am of the opinion that present is the 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. It is directed that on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed, the applicant shall be released on bail, subject to following conditions:

- That, the applicant shall furnish a specific undertaking that while on bail, he will not commit any excise offence, otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.
- That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required and the accused/applicant 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/her from disclosing such facts to the Court or to any police officer.
- That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

8. Certified copy as per rules.

(Inder Singh Uboweja)
JUDGE