

HIGH COURT OF CHHATTISGARH AT BILASPUR

(Single Bench : Hon'ble Shri I.S. Uboweja, J)

MCRC No. 661 of 2016

- Ram Kishan Agrawal s/o. Rameshwar Prasad Agrawal aged about 45 years
R/O Ward No. 6, Baradwar, P.S. Baradwar, Tahsil Sakti, Civil & Revenue
District Janjgir - Champa Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through : - Station House Officer, P.S. Sakti, Civil &
Revenue District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant : Mr. Sudeep Agrawal Advocate.

For respondent/State : Ms. Shobha Kashyap, Panel Lawyer.

Order on Board

(16-02-2016)

1. Heard.
2. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 13-01-2016 in connection with Istgasa No. 1 of 2016 registered at Police Station Sakti, District Janjgir-Champa (CG), for the offence punishable under Section 41 (1-4) and 379 of the IPC.
3. The case of the prosecution, in brief, is that on 13-1-2016 the present applicant was in illegal possession of one motor-cycle and thereby he committed the aforesaid offence.
4. Learned counsel appearing for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case. The motor-cycle has not been seized from the applicant. He would further submit that applicant is in jail since 13-01-2016 and no further custodial interrogation of the applicant is required by the prosecution, therefore, present applicant may be released on bail.
5. On the other hand, learned State counsel opposes the bail application.

6. Taking into consideration the facts and circumstances of the case and nature of allegation leveled against the applicant and further taking into consideration that the applicant is in jail since 13-01-2016 and no further custodial interrogation of the applicant is required, I am of the considered opinion that *prima facie* it is a fit case where the applicant can be released on bail.
7. Accordingly, the application is allowed. It is ordered that applicant Ram Kishan Agrawal shall be released on bail on his furnishing a personal bond of Rs.20,000/- with two local sureties of the like amount to the satisfaction of the trial Court. He shall appear before the trial court on each and every date given to him by the said Court till disposal of the trial.
8. Certified copy as per rules.

Sd/-

(I.S. Uboweja)

Judge