

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3559 of 2017

(Arising out of judgment/order dated in Case No. of the learned.....)

- Rajendra @ Yajendra Sahu S/o Khilawan Sahu, Aged About 25 Years R/o Village- Bodra, Tahsil And Police Station- Magarlod, District- Dhamtari Chhattisgarh.

---- Applicant (In jail)

Versus

- State Of Chhattisgarh Through- Police Station Magarlod, Tahsil- Magarlod, District- Dhamtari Chhattisgarh.

---- Non-applicant

For Applicant	:	Shri Keshav Dewangan, Advocate
For Respondent	:	Shri N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

13/11/2017

1. Heard.
2. The applicant has preferred this application under Section 439 of Cr.P.C. for grant of regular bail as he is in custody in connection with Crime No.23/2017 registered at Police Station Magarlod, District Dhamtari (CG) for the offences punishable under Sections 457 & 380 of the Indian Penal Code.
3. Case of the prosecution, in brief, is that after breaking the house at night the applicant entered the house of the complainant and committed theft of motorcycle.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. He has falsely been implicated. He is in custody

since 1.2.2017. The charge sheet has been filed and the conclusion of trial is likely to take some time. The applicant has no criminal past. The motorcycle of the complainant has already been handed over to him by the Court. In these circumstances, he prays that the applicant be enlarged on bail.

5. On the other hand, learned counsel for the State opposes the bail application

6. Taking into consideration the fact that the applicant has no criminal antecedent and he is in custody since 1.2.2017, this Court is of the considered view that it is a fit case to release the applicant on bail. Accordingly, without expressing any view on the merits of the case, the application is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like amount to the satisfaction of the trial Court concerned.

7. Certified copy as per rules.

Sd/-
(Pritinker Diwaker)
Judge

roshan/-