

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**Misc. Criminal Case No.5880 of 2017**

- Narad Khute @ Chaupda @ Khorva S/o Dilprasad Khute, Aged About 30 Years R/o Village Daukijor, Police Station Kosir, Civil & Revenue District Raigarh, Chhattisgarh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through District Magistrate, District Janjgir Champa, Chhattisgarh. (Through Police Station Hasaud, District Janjgir Champa, Chhattisgarh.)

**---- Respondent**

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| For applicant        | : Shri Deepak Kumar Singh, Advocate  |
| For respondent/State | : Shri Anil S Pandey, Govt. Advocate |

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**Hon'ble Shri Justice Ram Prasanna Sharma**

**Order On Board**

**23.11.2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 06.7.2017 in connection with Crime No.31/2017, registered at Police Station Hasaud, Distt. Janjgir Champa (CG) for the offence punishable under Sections 379 of the Indian Penal Code

2. As per the prosecution story, one motor cycle bearing registration No.CG 17 CK 2095 was stolen from the possession of the complainant and the same was subsequently seized from the possession of the present applicant.

3. Learned counsel for the applicant submits that he is innocent and he is in custody since 06.7.2017. As the trial may take some time for its conclusion, he may be enlarged on bail.

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

5. I have heard learned counsel for the parties and perused the case diary.

6. Taking into consideration that maximum sentence prescribed for the offence under Section 379 IPC is three years, the applicant is entitled for bail for facing the trial.

7. Accordingly, bail application filed under Section 439 CrPC is hereby allowed.

8. It is directed that the applicant shall be released on bail on furnishing a persons bond for a 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.

**Sd/-**

**(Ram Prasanna Sharma)**

**JUDGE**