

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 509 of 2018**

Malikram @ Sonu S/o Aged About 27 Years R/o Village Badra , Police Station Pandariya, District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer Police Station Simga, District Baloda Bazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

---- Respondent

For the Applicant : Shri Hemant Gupta, Advocate.
For the Respondent/State : Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****26.03.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.214 of 2017, registered at Police Station – Simga, Baloda Bazar, Bhatapara, District – Bhatapara, Chhattisgarh for the offence punishable under Section 394 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 25.07.2017 and has been falsely implicated in this case. Presently, the case is pending before the trial Court and the trial of the case is likely to take some time for its final disposal. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case, on 21.7.2017, the applicant took lift in the pick-up of the complainant bearing registration No. C.G. 07AB 8252 and in the way both of them consumed liquor. In between, the applicant made the complainant to get down from the vehicle who was in intoxicated condition and committed theft of mobile and the said vehicle. Hence, this case.
6. Considering the material present in the case-diary, the applicant has no criminal antecedents and in the present situation the trial against the applicant is pending before the concerned Court which is likely to take some time for its conclusion, I am of the considered opinion that the applicant deserves to be released on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge