

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 497 of 2018**

Madan Kashyap S/o Dukhiram Aged About 24 Years R/o Village Buchuwakapa, Police Station Jarhagaon, Revenue And Civil District Mungeli, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station City Kotwali, Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Anand Kesharwani, Advocate.
For the Respondent/State : Shri Aditya Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****21.03.2018**

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.250 of 2017, registered at Police Station – City Kotwali, Bilaspur, District – Bilaspur, Chhattisgarh for the offence punishable under Section 379 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 24.10.2017 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. The case is triable by the Judicial Magistrate First Class and he is ready to abide by all the conditions imposed on him. 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. The allegation against this applicant is that he committed theft of one motorcycle bearing registration No. C.G.10-X-9203 belonging to complainant – Satish Kumar Ratre. After lodging of FIR, the stolen property has been recovered from the possession of this applicant. Hence, this case.
6. Considering the submissions and the contents of the case-diary, taking into consideration the fact that the applicant has no criminal antecedents, the case is triable by the Judicial Magistrate First Class and the conclusion of the trial is likely to take some time for its final disposal, 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