

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1976 of 2018

Mohd. Illiyas Ansari, S/o Mohd. Nurul Huq Ansari, aged about 52 years, R/o Village- Sonpurwa Garhwa Ward No. 14, P.S.- Garhwa, Distt. Garhwa (Jharkhand).

---- Applicant

Versus

State of Chhattisgarh Through: The Police Station- Raipur Chowki- Bariyon, Distt. - Balrampur- Ramanujganj (C.G.).

---- Respondent

For Applicant	:	Mr. A.N. Pandey, Advocate
For Respondent	:	Ms. M. Asha, PL

Hon'ble Shri Justice Arvind Singh Chandel
Order on Board

27/04/2018

1. The applicant has preferred first bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 86/2017 registered at Police Station- Rajpur, Chouki- Bariyon, Distt. Balrampur- Ramanujganj (C.G.) for the offence punishable under Sections 379 & 413/34 of IPC.
2. It is alleged that the theft property tractor bearing no. C.G. 13/UH/4701 has been seized from the house of the applicant. It is alleged that co-accused Manoj Singh has stolen the said tractor and the same was purchased by the present applicant for Rs. 90,000/-. Offence was registered and the applicant was arrested on 16/12/2017.
3. Learned counsel appearing on behalf of the applicant submits the applicant is innocence and has been falsely implicated in the present case. He further submits that the applicant is in custody since

16/12/2017, charge-sheet has been filed, there is no criminal antecedent of the applicant and the trial will likely to take some time to conclude, therefore, he may be released.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly, the fact the applicant is in custody since 16/12/2017, charge-sheet has been filed, there is no criminal antecedent of the applicant and the trial will likely to take some time to conclude, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, MCRC. No.1976/2018 is allowed. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-
Judge
Arvind Singh Chandel