

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 1941 OF 2018

Vijay Yadav S/o Heera Yadav, aged about 35 years, R/o Ganesh Nagar, Nayapara, Near Shiv Mandir, PS Sirgitti, Bilaspur, Distt. Bilaspur (CG).

... **Applicant**

Versus

State of Chhattisgarh, through the Police Station Torwa, Distt. Bilaspur (CG).

... **Respondent**

For Applicant	:	Shri PK Tulsyan, Advocate.
For Respondent-State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/04/2018

1. This is first bail application seeking grant of bail to the Applicant who is in jail since 11.11.2017 in connection with Crime No. 260 of 2015 registered at Police Station Torwa, Distt. Bilaspur, for the offence punishable under Section 379 IPC.
2. The allegation against the applicant is that he is said to have stolen a motorcycle belonging to the complainant.
3. Learned Counsel for the applicant submits that the applicant has already remained in custody for more than 5 months and that there is no past antecedent against the applicant, and therefore, he may be released on bail.
4. The State counsel however opposes the bail application and submits that looking to the nature of offence, the applicant does not deserve for bail.
5. Without commenting on merits, considering the totality of the facts and circumstances of the case particularly taking into consideration the period of custody undergone; the nature of offence and also the

fact that there is no past antecedent against the applicant, this Court is of the opinion that the present is a fit case where the applicant can be enlarged on bail.

6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

**Sd/-
(P. Sam Koshy)
Judge**