

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2008 of 2018**

Laxmi Narayan Suryavanshi S/o Mithailal @ Dukhram Suryavanshi Aged
About 40 Years R/o Prabhat Chowk, Chingrajpara, P. S. Sarkanda Tahsil
And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station
Sarkanda District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Suresh Kumar Verma, Advocate.
For the Respondent/State : Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****01.05.2018**

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.750 of 2017, registered at Police Station Sarkanda, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 41(1-4) and 379 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 18.11.2017 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. 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. FIR was lodged by complainant – Jaiprakash Sahu stating that his motorcycle was stolen by some unknown person. During investigation, at the instance of the applicant, the motorcycle has been seized and identified as the stolen motorcycle. 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 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