

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.2392 of 2018**

Madan Kashyap, S/o Dukhiram, aged about 24 years, R/o Village Buchuwakapa, Police Station Jarhagaon, District (Revenue and Civil) Mungeli, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through Police Station City Kotwali, Bilaspur, District (Revenue and Civil), Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Anand Kesharwani, Advocate
For Respondent	:	Shri U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****2.5.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the Applicant who has been arrested in connection with Istgasa No.20 of 2017 registered at Police Station City Kotwali, District Bilaspur for offence punishable under Section 41 (1+4) of the Code of Criminal Procedure and Section 379 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on the information received from an informant on 24.10.2017, 5 motorcycles and 1 scooty were seized from the possession of the Applicant. It is alleged that all the vehicles had been theft. The Applicant has been arrested on 24.10.2017 and the investigation is going on.
3. Learned Counsel appearing for the Applicant submits that owner of only 1 vehicle has been traced out and no owner has been traced for the remaining 5 vehicles. In the circumstance, the

Applicant, who is in custody since 24.10.2017, may be released on bail.

4. Learned Counsel appearing for the Respondent/State opposes the bail application.
5. I have heard Learned Counsel appearing for the parties and perused the entire material available with due care.
6. Taking into consideration the facts and circumstances of the case, particularly, that owner of only 1 vehicle has been traced out and no owner has been traced for the remaining 5 vehicles and the Applicant is in custody since 24.10.2017, I am inclined to enlarge him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.10,000/- with one solvent surety in the like sum to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
JUDGE