

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2326 of 2018**

- Ajhar Hussain, S/o Jahir Hussain, Aged about 28 years, R/o Durpa Road Korba, District Korba (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : The Station House Officer, Police Station Darri, District Korba (C.G.)

---- Non-applicant

For Applicant	:	Mr. G.R. Miri & Mr. Basant Kaiwartya, Advocates.
For Non-applicant/State	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****30/04/18**

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 have been arrested in connection with Crime No.91/2016 registered at Police Station Darri, District Korba (C.G.) for the offence punishable under Section 379/34 of the Indian Penal Code.

3. Case of the prosecution, in brief, is that the applicant has stolen Maruti – 800 owned by Sushil Chand Soni and thereby committed the aforesaid offence.

4. Learned counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in crime in question, the applicant is in jail since 10-03-2018. Charge-sheet has already been filed and no useful purpose will be served by detaining him in jail,

therefore, he may be released on regular bail.

5. On the other hand, learned counsel for the State would oppose the bail application.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of the offence and the fact that the applicant is in custody since 10-03-2018, this Court is of the opinion that present is a fit case in which the applicant should be enlarged on regular bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the 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/-
(Sanjay K. Agrawal)
Judge