

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3268 of 2018**

Ajay Yadav, S/o Ram Paras Yadav, aged about 28 years, R/o house of Sahu,
Kailash Nagar Birgaon, Police Station: Urla, District : Raipur (C.G.) Mobile No.
9589767313

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station:
Khamtarai, District : Raipur (C.G.)

---- Non-applicant

For Applicant	:	Mr. C.R. Sahu, Advocate.
For Non-applicant	:	Mr. Ashish Surana, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****25/06/2018**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 04/2018 registered at Police Station Khamtarai, District Raipur (C.G.) for the offence punishable under Sections 41(1)(4), 379 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant and other co-accused persons stolen the iron gate owned by the State Government amounting to Rs.67,200/- and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant has falsely been implicated in the crime in question as he has not committed any offence. He further submits that applicant is in detention since 07.04.2018 and,

therefore, the applicant may be released on regular bail.

(4) On the other hand, learned counsel for the State would submit that on the memorandum of accused/applicant, said iron rod has been recovered and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the nature and gravity of the offence, facts & circumstances of the case and further considering the fact that applicant is in detention since 07.04.2018; role of the applicant in the crime in question and the fact that the trial is likely to take some time for its disposal; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

