

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5354 of 2018

- Vasu Shukla S/o Manoj Shukla Aged About 26 Years R/o Pahadipara, Gudhiyari , At Present Awadhapara, Village Sondongri , Police Station Kabirnagar, District Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kabirnagar, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri CR Sahu, Advocate.
For Respondent/State	: Shri Adil Minhaj, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

12/12/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 131/2018, registered at Police Station – Kabirnagar, District- Raipur (C.G.) for the offence punishable under Section 457, 380/34 of the IPC.
2. As per prosecution story, in the intervening night of 17.06.2018 & 18.06.2018, some unknown persons have stolen two compressor machines, four reaped machines, one grader and one cutter machine from RR Construction Company, owned by the complainant namely Rajnish Tiwari. A report was made by the complainant Rajnish Tiwari on the basis of said report, offence has been registered. During course of investigation, on the memorandum statement of the applicant, some stolen articles were seized from his possession and he has been arrested on 19.06.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the

applicant is innocent and has been falsely implicated in the case. He further submits that the applicant have some previous criminal records, but except this case, all the cases have already been disposed of. He further submits that an affidavit of father of the Applicant namely Manoj Kumar Shukla has also filed in support of his previous criminal records, the applicant is in custody since 19.06.2018, charge-sheet has already filed and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant is in custody since 19.06.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge