

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6378 of 2018**

Rajendra Kumar Patel, S/o Shri Ramesh Singh Patel, Aged About 26 Years, R/o Village Purnajeem, Thana Pannuganj, District Rabatganj Sonbhadra, Uttar Pradesh

---- Applicant**Versus**

State of Chhattisgarh, Through The Station House Officer, Police Station Hirri, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant. : Shri Amit Kumar Chaki, Advocate.

For Respondent. : Shri Ashutosh Pandey, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04/10/2018**

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 30.07.2018 in connection with Crime No.191/2018 registered at Police Station : Hirri, District Bilaspur (C.G.) for the offence punishable under Section 381 of the IPC.
2. As per the prosecution case, the complainant has lodged an FIR before Police Station Hirri the applicant/accused was driving his vehicle bearing Registration no. CG 10 AJ 8288 from the last three months. On 30.07.2018, the applicant has recovered Rs. 31,500/- as freight of the said vehicle. After receiving the amount, he left the vehicle near village Pendrideeh and ran away. The applicant has dishonestly kept the amount and ran away. During investigation and on the

memorandum of statement of the accused/applicant police has seized Rs. 21,660/- from his possession. The offence has been registered against the applicant and he has been arrested on 30.07.2018.

3. Learned counsel for the applicant submits that the applicant has falsely implicated in the present case. He further submitted that the applicant is in custody since 30.07.2018, charge-sheet has been filed and trial will likely to take some more time, therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and the fact that the applicant is in custody since 30.07.2018 and the offence is triable by Judicial Magistrate First Class, trial will take some more time, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed.
8. It is directed that the accused/applicant shall be released on bail on his furnishing a personal bond of Rs.20,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-
(Rajani Dubey)
Judge