

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6592 of 2018

- Rashid Ahmad S/o Shakil Ahmad Aged About 19 Years R/o- Kargi Road Kota, P.S. And Tahsil Kota, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station- Tarbahar, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Rajeev Kumar Dubey, Advocate.
For Respondent/State	: Shri SRJ Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

20/09/2018

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. 242/2018, registered at Police Station Tarbahar, District Bilaspur (C.G.) for the offence punishable under Sections 379, 34 & 411 of the IPC.
2. As per the prosecution story, on 21-07-2018 at about 3 PM complainant Govind Gangotri lodged a report against unknown person alleging that on 20-07-2018 at about 2-4 PM when he got his sister to CMD College for admission in third semester, with his motorcycle Bullet Classic bearing registration No. CG-10 AB 8394, he locked the said motorcycle in front of the CMD College and, when he came back, saw that the motorcycle was missing. On the basis of said report, offence has been registered. During course of investigation on the basis of memorandum statement of co-accused said motor-cycle has been seized from the possession of the present applicant. Allegedly present applicant has purchased the said motor-cycle from the co-accused persons and he has been arrested on 03-08-2018.

3. Shri Rajeev Kumar Dubey, 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 has purchased the said motorcycle but he has no knowledge that the motorcycle which was purchased was stolen, he is in custody since 03-08-2018, charge-sheet has not been 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.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution, further considering the fact that the applicant is in custody since 03-08-2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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. 20,000/- 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