

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6643 of 2018**

Vishwanath, S/o Garib Das, Aged About 40 Years, R/o Torwa Basti,
P.S. Torwa, Tahsil and District : Bilaspur, Chhattisgarh

---- Applicant**Versus**

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

---- Respondent

For Applicant. : Shri Rajesh Kumar Sharma, Advocate.
For Respondent. : Shri Dilman Rati Minj, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey
Order on Board

05/10/2018

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 22.07.2018 in connection with Crime No.204/2018 registered at Police Station : Masturi, District - Bilaspur (C.G.) for the offence punishable under Sections 457, 380 and 411 of the IPC.
2. As per the prosecution case, on 03.06.2018 the complainant has lodged an FIR before Police Station alleging in it that when he went to his matrimonial house along with his family, some unknown persons committed theft in his house and took ornaments and cash of Rs.45,000/- from his house. During investigation and on the basis of memorandum statement of the co-accused, the police has arrested the present applicant and some stolen articles has been seized from his possession. The offence has been registered against

the present applicant and he is in custody since 03.06.2018.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further submitted that the applicant is in custody since 03.06.2018, 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 03.06.2018 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.25,000/- 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