

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6705 of 2018

- Shubham Kumar Yadav S/o Shiv Prasad Yadav Aged About 21 Years Caste Yadav, R/o Deepka Subhash Nagar, Police Station Dipka, District Korba, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Dipka, Civil And Revenue District Korba, Chhattisgarh.

---- Respondent

For Applicant : Shri D.K. Vishwakarma, Advocate.
For Respondent/State : Shri Sangharsh Pandey, Dy. G.A..

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

12/10/2018

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. 160/2018, registered at Police Station – Dipka, District- Korba, (C.G.) for the offence punishable under Section 379 of the Indian Penal Code.
2. As per the prosecution story, on 19.08.2017, at about 8:30 pm, motorcycle bearing registration No. CG 12 AK 7535 has been stolen by some unknown person. Report has been lodged by complainant Surendra Kumar Patel, on the basis of which offence has been registered against the applicant and the said motorcycle has been seized from his possession. The Applicant has been taken into custody on 10.08.2018.
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 has no criminal antecedent, he is in

custody since 10.08.2018 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.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant has no criminal antecedent, he is in custody since 10.08.2018 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