

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6970 of 2018**

Akash Bairagi S/o Anand Bairagi, aged about 27 years, R/o Durgapur Colony, Police Station- Dharamjaigarh, Distt. Raigarh(C.G.). present Address- Mudapar, Nearby Masjid, Chowki- Manikpuri, Korba, Tehsil & Distt. - Korba (C.G.).

--- Applicant**Versus**

State of Chhattisgarh, Through: District Magistrate, Police Station, CSEB, Korba, District- Korba (C.G.).

---- Respondent

For Applicant	:	Mr. Kishore Narayan, Advocate, Advocate
For Respondent	:	Mr. Bhaskar Payashi, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**01/11/2018**

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 440/2018 registered at Police Station- Out Post CSEB, Korba (C.G.) for the offence punishable under Sections 379 & 411/34 of the IPC
2. As per prosecution story, on 29/05/2018, complainant- Mohd. Tousif Raja along with his friend went inside the water park by keeping their bags. After return, they found that their bags were stolen from the place in which three mobile phones worth Rs. 35,000/- and other documents were kept. On the basis of said report, offence has been registered. During course of investigation, one stolen mobile and other

articles has been seized from the possession of the present applicant.

The applicant has been taken into custody on 16/07/2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated. He further submits that the applicant is in custody since 02/07/2018, offence is triable by the Judicial Magistrate First Class and charge-sheet has been filed, therefore, the applicant 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 both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the applicant is in custody since 02/07/2018, offence is triable by the JMFC and charge-sheet has been filed, 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. 20,000/- with one 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