

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6950 of 2018**

- Khileshwar Sahu, S/o Goverdhan Sahu, aged about 21 years, R/o Kurra, Near Naya Water Tank, Police Station- Dharsinwa, Tahsil & District- Raipur, (C.G.).

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Maudahapara, Raipur, District- Raipur, (C.G.).

---- Respondent

For Applicant	: Ms. Sunita Sahu, Advocate.
For Respondent/State	: Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**24/10/2018**

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. 115/2018, registered at Police Station – Maudahapara, Raipur, District- Raipur, (C.G.) for the offence punishable under Section 379 of the Indian Penal Code.
2. As per the prosecution story, on 18.05.2018, Complainant Rakesh Vishwakarma lodged a report wherein it has been stated that his Motorcycle bearing registration No. CG 04 KJ 1946 has been stolen by some unknown person from premises of Dr. Bhimrao Ambedkar Hospital, Raipur. On the basis of the said report, offence has been registered against the present Applicant. During course of investigation and as per the memorandum given by the Applicant, one Motorcycle bearing registration No. CG 04 KJ 1946 has been seized from his possession. The Applicant has been taken into custody on 22.07.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. She further submits that the Applicant has no criminal antecedent, he is in custody since 22.07.2018 and trial will take some time. Charge-sheet has already been filed. 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 22.07.2018 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