

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7175 of 2018

- Hast Kumar @ Chhotu Banjara S/o Tula Ram Banjara Aged About 20 Years R/o Village Alola, Police Station And Tahsil Dharamjaigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kapu District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Amit Singh, Advocate.
For Non-applicant	: Mr. Suryakant Mishra, P.L.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

16.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 59/2018 registered at Police Station – Kapu, District - Raigarh (C.G.) for the offence punishable under Section 379 of the Indian Penal Code.
3. Case of the prosecution, in brief is that in the intervening night of 21.06.2018 and 22.06.2018 at Alolakapu, Dharmjaigarh from the outside of the house of the complainant, his motorcycle bearing registration No. CG-13-N-1870 was stolen by some unknown person. On the memorandum of the applicant said motorcycle was seized from him.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE