

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.7055 of 2018**

Chandramani Sidar, S/o Shri Laxman Sidar, aged about 25 years, R/o Village Aurabhata, P.S. Kotra Road, Tahsil and District Raigarh (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Kotra Road, Tahsil and District Raigarh (CG).

---- Non-applicant

For Applicant : Mr. Ishwar Jaiswal, Advocate.

For Non-applicant : Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26.10.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.219/2018 registered in Police Station Kotra Road, Tahsil and District Raigarh for the offence punishable under Section 379 of Indian Penal Code.
3. Prosecution story in brief is that on 22.08.2018 the present applicant stole a trailer bearing Registration No.C.G.13-Y-6841 from the possession of the owner namely Saket Singhania of said trailer.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. Counsel for the State opposed the prayer for grant of bail. He further submitted that no criminal antecedent is reported against the applicant in police case diary.
6. I have heard counsel for the parties and perused the case diary with

utmost circumspection.

7. Offence is triable by JMFC.
8. 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; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefits of Section 439 of the CrPC to the applicant.
9. Accordingly, the present bail application filed under Section 439 of the CrPC is allowed.
10. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail.
11. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-