

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8047 of 2018**

Lukky Jhariya, S/o Late Chhabilal Jhariya, Aged About 18 Years, R/o Jagriti Nagar, Urkura, Raipur, District- Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station- Khamtarai, Civil & Revenue District- Raipur (C.G.)

---- Respondent

For Applicant : Ms. Laxmeen Kashyap, Advocate.

For State : Mr. Vivek Sharma, G.A.

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board**

31/10/2018

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 29.09.2018 in connection with Crime No. 529/2018 registered at Police Station- Khamtarai, District- Raipur (C.G.), for the offence punishable under Sections 379/34 of IPC.
2. As per the prosecution case, the present applicant & another co-accused have been arrested on the basis of seizure of 7 Nos. Mobile phones and one Motorcycle and police has registered the case under Section 379/34 of IPC.
3. Learned counsel for the applicant submits that the applicant is innocent and the trial will take sufficient time, therefore, the applicant may be enlarged on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.
5. Looking to the fact that the offence is triable by Judicial Magistrate First Class and will take sufficient time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 20,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
Judge