

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 9124 of 2018

- Khem Lal S/o Saheb Lal Khunte Aged About 22 Years R/o Village Hardi Police Station Sarsiwani Tahsil Bilaigarh District Revenue And Civil Balodabazar Bhatapara Chhattisgarh, District : Balodabazar-Bhatapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Chowki Bhatgaon Police Station Bilaigarh District (Revenue And Civil) Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhatapara, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Anand Kesharwani, Advocate.
For Non-applicant	: Mr. S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.12.2018

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. 05/2018 registered at Police Station –Police Chowki Bhatgaon Police Station Bilaigarh District (Revenue And Civil) Balodabazar Bhatapara (C.G.) for the offence punishable under Section 41(1+4) of the Cr.P.C. and Section 379 IPC.
3. Case of the prosecution, in brief is that on 18.10.2018 on the memorandum of the applicant two motorcycles were seized by Sohan Lal Ratre, head constable, police station Bhatgaon.
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