

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 189 of 2019**

- Jyotish Kumar Koshle S/o Harikesh, aged about 19 Years R/o Lohsi (Son)  
Police Station Pachpedi, District Bilaspur, Chhattisgarh.

**---- Applicant****Versus**

- State of Chhattisgarh Through Station House Officer, Police Station  
Pachpedi, District Bilaspur, Chhattisgarh.

**---- Respondent**

---

|                      |                                        |
|----------------------|----------------------------------------|
| For Applicant        | : Shri A.D. Kuldeep, Advocate.         |
| For Respondent/State | : Shri Devendra Pratap Singh, Dy. A.G. |

---

**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**31/01/2019**

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 Ishtagasha (crime) No. 02/2018, registered at Police Station – Pachpedi, District - Bilaspur, (C.G.) for the offence punishable under Section 379 of the Indian Penal Code and Section 41(1-4) of Code of Criminal Procedure.
2. As per the prosecution story, on 28.12.2018, for investigating a matter which relates to crime no. 240/2018, under Section 457, 380, 34 of IPC, police personnel went to Village Loharsi. During course of investigation, they recorded the memorandum statement of the present Applicant. On the basis of the memorandum statement of the Applicant, one CPU, one Keyboard & one mouse total amounting Rs. 5,300/- have been seized from the possession of the Applicant. Also, the Applicant has no any document regarding the seized articles. On the basis of the said, offence has been registered. He has been taken into custody on 28.12.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the Applicant has no criminal antecedent, he is in custody since 28.12.2018 and trial will take some time. Charge-sheet has been not filed yet. 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 28.12.2018 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 concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-  
**(Arvind Singh Chandel)**  
**Judge**