

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 613 of 2019**

- Trinath @ Sonu Yadav, S/o Shri Gurvaru Yadav, aged about 23 years, R/o Village Amlitikara, Premnagar, P.S. and Tahsil – Dharmjaygarh, District- Raigarh, Chattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station – Kapu, District – Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Shri Avinash K. Mishra, Advocate.
For Respondent/State	: Shri K.K. Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**20/02/2019**

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 crime No. 70/2018, registered at Police Station – Kapu, District- Raigarh, (C.G.) for the offence punishable under Sections 395, 120-B of the Indian Penal Code.
2. As per the prosecution story, on 14.07.2018, Complainant Sulesh Kumar lodged a report wherein it has been stated that on 07.07.2018 at about 10:30 pm, some unknown persons looted one mobile phone of Micromax Company and cash of Rs. 28,000/- from him, they also looted one mobile phone of Intex Company, cash of Rs. 1,000/- from Ramesh, one touch screen mobile phone of Samsung Company, cash of Rs. 16,000/- from Dhaneshwar, one touch screen mobile phone of Micromax Company and cash of Rs. 35,000/- from Jagdish. On the basis of the said, offence has been registered. During course of investigation, Applicant has been taken into custody on 19.12.2018. Allegation against the present Applicant is that he is also involved in

the said crime.

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 report has been made against unknown persons but no test identification parade has been conducted by the prosecution in this case. Apart from this, no seizure has been made from the present Applicant. Applicant has no previous antecedents, he is in custody since 19.12.2018 and trial will take time. 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 19.12.2018 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