

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 836 of 2019

- Uttam Chakravarti S/o Shri Samir Chakravarti Aged About 24 Years
R/o Gandhi Nagar, Pandri, Police Station Civil Line, Raipur
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Devendra Nagar, Raipur Civil And Revenue District Raipur
Chhattisgarh

---- Respondent

For Applicant : Mrs. Sunita Sahu, Advocate.
For Respondent/State : Mrs. Smriti Shrivastava, PL.

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. 78/2018, registered at Police Station – Devendra Nagar, District- Raipur (C.G.) for the offence punishable under Section 379 of the IPC.
2. As per the prosecution story, on 14.03.2018, a report has been lodged by complainant namely Mr. Santosh Talreja, wherein, it has been alleged that on 13.03.2018, his motor-cycle bearing Registration No. CG 04 DJ 5521 has stolen from the backside of his shop, situated at Pandri, Raipur (C.G.). On the basis of said report, offence has been registered against unknown person. On 04.09.2018, the said stolen motor-cycle and other motor-cycles have been seized from the possession of the present Applicant. The Applicant has been arrested on 29.10.2018 in separate crime number 03/2018 for the offence

punishable under Section 41(1+4) & 379 of the IPC and since then he is in custody.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. She further submits that the Applicant has no criminal antecedent, he is in custody since 29.10.2018, charge-sheet has already been filed and trial will take some 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 with due care.
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 29.10.2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant 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 Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge