

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 842 of 2019**

- Hira Singh Sahu S/o Late Mahangilal Sahu Aged About 40 Years R/o Village- Devri, Police Station- Dharsiva, District- Raipur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station- Urla, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri J.K. Gupta, Advocate.
For Respondent/State	: Shri Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

11/03/2019

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. 417/2018, registered at Police Station – Urla, Raipur, District- Raipur, (C.G.) for the offence punishable under Section 457, 380 of the Indian Penal Code.
2. As per the prosecution story, on 17.10.2018, some unknown persons entered into the house of the Complainant Awesh Lala and stole a mobile of Oppo Company and some gold ornaments. On the basis of the said, on 18.10.2018, report was made by the Complainant. During course of investigation, on the basis of memorandum statement of the present Applicant, stolen mobile has been seized from the possession of the Applicant and he has been taken into custody on 14.12.2018.
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 charge-sheet has been filed, Applicant is in custody since 14.12.2018 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 and submits that the Applicant has total three previous antecedents of same type of case.
5. However, Counsel for the Applicant submits that the Applicant has already been acquitted from the previous three cases.
6. I have heard learned Counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 14.12.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. 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