

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.770 of 2019**

Sajid Khan, son of Abdul Rahman Khan, aged about 25 years, R/o Tareng Road, Bhatapara, Tahsil Bhatapara, District Baloda Bazar Bhatapara (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Bhatapara Town, District Baloda Bazar Bhatapara (CG).

---- Non-applicant

For Applicant : Mr. Prakash Mishra, Advocate.
For Non-applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****15.02.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.158/2017 registered in Police Station Bhatapara Town, District Baloda Bazar Bhatapara for the offence punishable under Section 407 of Indian Penal Code.
3. Prosecution story in brief is that one Maruti Swift Dzire car bearing Registration No.C.G.07A.L.1080 was in the name of Ram Ratan Tiwari, who is a father of the complainant Shiv Shankar Tiwari. On 01.03.2017, the said complainant had given the said car on rent to the applicant for two days. Later on, the applicant did not return back the said vehicle. Thereafter, it was found that the said car met with an accident at Korrapur Odisha.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. Counsel for the State opposed the bail application. However, he submitted that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to the above mentioned facts and circumstances of the case, the bail application is allowed. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-