

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.1440 of 2019**

Ajay Banjare, son of Ram Kumar Banjare, aged about 19 years, R/o Village Kota, Tahsil Kota, District Bilaspur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Sarkanda, District Bilaspur (CG). **---- Non-applicant**

For Applicant : Ms. S. Durga Sarni, Advocate.
For Non-applicant : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

13.03.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.528/2019 registered in Police Station Sarkanda, District Bilaspur for the offence punishable under Section 379 of Indian Penal Code.
3. Prosecution story in brief is that on 14.07.2018, the motorcycle of the complainant Sandeep Chopda bearing registration No.M.P.04-W.M. 4158 was stolen by some unknown person near the Chatidih Petrol Pump, Bilaspur. On the memorandum of applicant, motorcycle was seized from co-accused Nimesh Kumar bearing same registration number.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. Counsel for the State opposed the bail application. However, he submitted that no criminal antecedent of the applicant is reported in police case diary.
6. Looking to the above facts and circumstances of the case, the bail application is allowed. It is ordered that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond in the like 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 and he shall not commit any such type of offence in future.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-