

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.1491 of 2019**

Subhash Verma, son of Jitendra Verma, aged about 25 years, R/o Village Tekari, P.S. Mujgahan, Tahsil and District Raipur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through District Magistrate Durg, (P.S. Ranitarai), District Durg (CG). **---- Non-applicant**

For Applicant : Mr. Praveen Dhurandhar, Advocate.
For Non-applicant/State : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

14.03.2019

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.105/2018 registered in Police Station Ranitarai, District Durg for the offence punishable under Sections 454, 380, 34 of Indian Penal Code.
3. Prosecution story in brief is that the complainant Maan Singh is a resident of village Ashoga. On 30.09.2018 between 10:00a.m. to 5:00 p.m., some unknown persons stole cash Rs.3,000/-, one golden nose-pin, one pair of silver toe-ring and one pair of silver anklet from the house of the said complainant. On the memorandum of applicant, one pair of silver anklet and one pair of silver toe-ring were seized from him. The seized articles were identified by the wife of the said complainant.
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 prayer for grant of bail however he submitted that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefits of Section 439 of the CrPC to the applicant. Accordingly, the bail application is allowed.
7. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- 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 and he shall not commit any such type of offence in future.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-