

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1617 of 2019

Santosh Kanwar, S/o Shri Lagan Kanwar, Aged About 28 Years, R/o Village Sarkanda, Police Station Panduka, District Gariyaband Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station - Arjuni, District Dhamtari Chhattisgarh.

---- Respondent

For Applicant	: Ms. Laxmeen Kashyap, Advocate.
For Respondent/State	: Mrs. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

19/03/2019

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. 05/2019, registered at Police Station – Arjuni, District- Dhamtari (C.G.) for the offence punishable under Sections 454, 380 & 34 of the IPC.
2. As per the prosecution story, on 26.12.2018, complainant Mahesh Singh lodged a report in Police Station, wherein it has been stated that some unknown person broken the lock of Danteshwari Temple Door and stolen the ornaments and other articles from the said temple. On the basis of above, offence has been registered. During course of investigation, some stolen ornaments have been seized from the possession of the present Applicant and he has been taken in custody on 03/01/2019.
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 03/01/2019, charge sheet has been filed and trial is likely to 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 03/01/2019, charge sheet has already been filed and trial is 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