

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1793 of 2019**

- Lav Yadav S/o Asharam Yadav, Aged About 20 Years R/o Devnagar Koni, Police Station Koni, District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Koni, District Bilaspur Chhattisgarh

.....Non Applicant

For the Applicant : Ms. Smita Jha, Advocate

For Non Applicant : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****28.03.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.25/2019 registered at Police Station- Koni, District- Bilaspur (C.G.) for the offence punishable under Sections 457, 380 of Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Sampati Yadav is the husband of village Kachanpur. In the intervening night of 21.01.2019 and 22.01.2019, some unknown persons stole one sewing machine, home theatre, gas cylinder, cash Rs.2500/-, one pair silver anklet, one pair silver Laccha from the house of complainant. On the memorandum of applicant one pair silver Laccha and one home theatre were seized from his possession.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State submits that 2 other criminal cases have been registered against the applicant out of which 1 under Gambling Act and another under CrPC.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul