

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2096 of 2019**

- Guddu Patel S/o Ramesh Chandra Patel Aged About 20 Years Occupation Student, R/o Village Dighavar, Post Office Sarbatkhani, Police Station Aurai, Tahsil Gyanpur, District Bhadohi, Uttar Pradesh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Amanaka, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri A.D. Kuldeep, Advocate.
For Respondent/State	: Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**01/05/2019**

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. 250/2018, registered at Police Station – Amanaka, Raipur, District – Raipur, (C.G.) for the offence punishable under Sections 457, 380/34 of the IPC.
2. As per the prosecution story, on 13.09.2018 Complainant Sunil Kumar Goutam lodged a report in police station alleging that on 10.09.2018, at night, some unknown persons broke the wall of his godown and stole mobile phones, shoes and clothes total amounting Rs. 5,00,000/- from his godown. On the basis of the said report, offence has been registered. During course of investigation, total 12 no. of mobile phones have been seized from the possession of the present Applicant. Applicant has been taken into custody on 10.10.2018.
3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the Applicant has no criminal antecedent. Co-

accused persons namely Sanjay Singh & Pramod Mourya have already been granted bail by this Court vide order dated 28.02.2019 passed in MCRC No. 8610 of 2018. Applicant is in custody since 10.10.2018, charge-sheet has been filed and trial will 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.
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 10.10.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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. 50,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge