

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2552 of 2019

- Mohammad Aabid Husain S/o Mohammad Ali Husain Aged About 23 Years R/o Ward No.13, Village Sargaon, P.S. Sargaon, Tahsil Pathriya, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Sargaon, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Rajesh Jain, Advocate.
For Non-applicant	: Mr. Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

26.04.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant 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. 49/2019 Police Station Sargaon District – Mungeli (C.G.) for the offence punishable under Sections 457, 380 of the Indian Penal Code.
3. Case of the prosecution, in brief is that Umesh Kumar Sahu had a firm in the name and style of Mahadev Lubricant at Sargaon. On 11.03.2019 he noticed that some unknown persons had stolen 12 wheels, 2 pumps, 2 water tanks, tanker shaft, tanker valve, etc. from said firm. On the memorandum of applicant one tire was seized from him.
4. Learned counsel for the applicant submits that the 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 opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these facts and circumstances of the case, looking to the materials available on record against applicant, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum 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