

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2779 of 2019

Meghodeep @ Dasbanto, S/o Shri Rajdeep, aged about 27 years, R/o Village Karla Kunta, Post Darlipali, P.S. Khapra Khol, District Balangeer (Odisha).
---- Applicant

Versus

State of Chhattisgarh, through Police Station Devendra Nagar, District Raipur (CG).
---- Non-applicant

For Applicant	: Mr. Sanjay Agrawal, Advocate.
For Non-applicant	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.05.2019

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 counsel for the State in connection with crime No.65/2017 registered at Police Station Devendra Nagar, District Raipur for the offence punishable under Section 379/34 of Indian Penal Code.
3. Case of the prosecution, in brief is that in the intervening night of 31.05.2017 and 01.06.2017 near Masjid, Devendra Nagar, Raipur from the front of house of complainant Yasha Khan, some unknown persons have stolen his motorcycle Pulsar bearing Registration No.C.G.04/KW/1914. On the memorandum of applicant recorded in Crime No.0/2018 by Police Station Telibandha wherein he gave information that 13 motorcycles have been concealed in a dilapidated house and is ready to recover them. But nothing was seized from him. 13 motorcycles including the said motorcycle were seized from co-accused Madhuban Tandi.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is an innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that 07 other cases of similar types have been registered against the applicant in police case diary.
6. Looking to the abovementioned facts and circumstances of the case, *prima facie* looking to the material available on record though 07 other cases of similar types have been registered against the applicant, the bail application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
7. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE

L/-