

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2885 of 2019**

- Devash Giri, S/o Shri Sunoo Giri, aged about 20 years, R/o Pattakela, P.S. Bagicha, District – Jashpur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Incharge P.S.–Rajpur, District – Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Soniya Kuldeep, Advocate.
For Respondent/State	: Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/05/2019

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. 121/2018, registered at Police Station – Rajpur, District – Balrampur-Ramanujganj, Chhattisgarh. for the offence punishable under Sections 379, 411 of IPC.
2. As per the prosecution story, on 03.09.2018 Complainant Laxmi Soni lodged a report against unknown person that on 05.08.2018, someone committed theft of her purse in which some jewelery, money and one Jio mobile were kept. On the basis of the said, offence under Section 379 of the IPC has been registered against unknown person. Allegedly, it has been found that co-accused Shobha Ram has stolen the stolen articles. It is further alleged that present Applicant has obtained the said mobile phone from the co-accused Shobha Ram. During course of investigation, other articles and seven mobile phones have been seized from the possession of the present Applicant. Applicant has been taken into custody on 23.01.2019.

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 23.01.2019 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 and perused the case diary.
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 23.01.2019 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 furnishing a personal bond for a sum of Rs. 20,000/- 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