

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2888 of 2019**

Sagar Rathor S/o Shri Jugal Rathor, aged about 22 years R/o Village Charoda,
P.S. Charoda, District Durg (C.G.)

----Applicant**Versus**

State of Chhattisgarh, Through: Police Station Sarkanda, Bilaspur District
Bilaspur (C.G.)

---- Respondent

For Applicant	:	Mr. J.N. Nande, Advocate
For Respondent	:	Mrs. Smriti Shrivastava, PL

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 the Cr.P.C for grant of regular bail as he is arrested in connection with Estagasha No. 04/2019 registered at Police Station Sarkanda, Bilaspur (C.G.) for the offence punishable under Sections 41 (1-4) of the Cr.P.C and Sections 420 read with 34 of the IPC.
2. As per prosecution story, a separate crime No. 285/2019 under Section 420/34 of the IPC has been registered on the report made by one Dileep Singh. It is alleged that some unknown persons, by alluring the Complainant, had fraudulently obtained his necklace. During course of investigation, on being informed by the informant, the Police party arrested some persons and interrogated them, and thereafter, some ornaments of gold, silver and some coins have been seized from the possession of the Applicant in suspicious condition. The Applicant has been arrested on

20/03/2019.

3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated. He further submits that there is no evidence on record on the basis of which, prima-faice any offence is made out against the Applicant. He prays that the Applicant is in custody since 20/03/2019, there is no criminal antecedent against the Applicant and trial will take time, therefore, the Applicant may be released on bail.
4. Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, particularly, the evidence collected by the prosecution and that the Applicant is in custody since 20/03/2019, there is no criminal antecedent against the Applicant, and trial will likely to take time, I am inclined to release the Applicant 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. 20,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-
(Arvind Singh Chandel)
Judge