

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3119 of 2019**

Umesh Sinha S/o Shankar Lal Sinha, Aged about 22 years R/o Station Maroda, Bhilai, Police Station Newai, Tahsil and District Durg (C.G.)

----Applicant**Versus**

State of Chhattisgarh, Station House Officer, Police Station Kotwali, District Durg (C.G.)

---- Respondent

For Applicant	:	Mr. Avinash Chand Sahu, Advocate
For Respondent	:	Mrs. Smita Ghai, PL

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****16/05/2019**

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 Crime No. 341/2019 registered at Police Station Kotwali, District Durg (C.G.) for the offence punishable under Section 406 of the IPC.
2. As per prosecution story, a report has been lodged by the Complainant alleging therein that he had entered into an agreement with the Applicant on 09/03/2018 to purchase a Swift Car bearing registration No. CG07 BF 9243 for consideration amount of Rs. 2,50,000/-. It was further alleged that the Applicant took the vehicle for his personal use for one day and did not return the same to the Complainant. He also did not return the money to him. On the said background, offence has been registered and the Applicant has been arrested on 11/04/2019.
3. Learned counsel for the Applicant submits that the Applicant is innocent

and has been falsely implicated due to some previous dispute between both the parties. He further submits that the Applicant is in custody since 11/04/2019, 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 11/04/2019, 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