

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3849 of 2019

Shashank Das @ Chinna S/o Suresh Das Bairagi Aged About 25 Years R/o Qtr. No. 24/7, Civil Lines Road, Kasaridih, Durg District Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Kotwali, District Durg Chhattisgarh.

---- Respondent

For Applicant : Mr. Ajay Ayachi, Advocate.
For Respondent/State : Mr. V.K. Agrawal, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

28/06/2019

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. 340/2019, registered at Police Station – Kotwali, District-Durg (C.G.) for the offence punishable under Section 457 and 380 of IPC.
2. As per the prosecution story, complainant of the case namely Saroj Kumar Mahilange lodged a report wherein it has been alleged that on 07.04.2019 he was residing in PWD Rest House in Room No.3 and when he woke up at 6'o clock in the morning of 08.04.2019, he saw that 1 Laptop and 1 Mobile Phone both amounting to Rs.50,000/- was stolen by some unknown person. During course of investigation, stolen laptop and mobile was seized from the possession of present Applicant. On the basis of said, offence has been registered. The Applicant has been arrested on 11.04.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated. He further submits that charge sheet has been filed and the Applicant is in custody since 11.04.2019 and trial is likely to 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. He further submits that the Applicant has some previous antecedents and therefore, he may be not released on bail.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, particularly considering the fact that the Applicant is in custody since 11.04.2019 and trial will likely to take some time, without further commenting on merits of the case, 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. 25,000/- with one local solvent surety to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge