

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3796 of 2019

- Akash Nirmalkar S/o Neelkanth Nirmalkar Aged About 19 Years
R/o Village- Raseda, Police Station- Akaltara, District- Janjgir-
Champa, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station- Civil Lines, Civil And Revenue District- Bilaspur,
Chhattisgarh.

---- Respondent

For Applicant : Ms. Laxmeen Kashyap, Advocate.
For Respondent/State : Mr. KK Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

18/06/2019

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. 333/2019, registered at Police Station Civil Lines, District Bilaspur (C.G.) for the offence punishable under Section 379 of the IPC.
2. As per prosecution story, at the night of 17.05.2019, some unknown person stolen one motorcycle bearing Registration No. CG 10 U 1110 of one Manish Chhatarwani regarding the same, he lodged a report in police station. During course of investigation said stolen motorcycle has been seized from the possession of present applicant and he has been arrested on 24.05.2019.
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 24-05-2019 and trial is likely to take some time. Therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
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 24-05-2019 and trial is 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 solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge