

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3819 of 2019**

Lalsingh Kanwar S/o Dhanraj Singh Kanwar, aged about 35 years R/o Village Pali, Tahsil And Police Station Pali, District Korba Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Dipka, District Korba Chhattisgarh.

---- Respondent

For Applicant	: Mr. Dharmesh Shrivastava, Advocate.
For Respondent/State	: Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

19/06/2019

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. 235/2018, registered at Police Station – Dipka, District- Korba, (C.G.) for the offence punishable under Section 395 of IPC & Section 25, 27 of Arms Act.
2. In this case there are total six accused persons. On 21.09.2018 complainant Dinesh Paswan lodged a report in Police Station alleging therein that on 20.09.2018 present Applicant along with other co-accused persons stolen the diesel from the mines. Thereafter, they all were going with the stolen diesel which was tried to stop by the security guard. On the basis of the said report, offence has been registered. During course of investigation one motor cycle and one sword has been seized from the possession of present Applicant. The Applicant is in custody since 14.01.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated due to some

dispute. He further submits Applicant is in custody since 14.01.2019 and charge-sheet has been filed 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.
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 evidence collected by the prosecution, the detention period of the Applicant and further considering the fact that the Applicant is in custody since 14.01.2019, charge sheet has been filed 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 solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge