

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3846 of 2019

Uday Malar S/o Shri Hiranman Malar Aged About 25 Years R/o Village -
Chainpur, Thana - Chainpur, District Gumla, Jharkhand.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station -
Jashpur, District Jashpur Chhattisgarh.

---- Respondent

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

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

20/06/2019

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. 140/2019, registered at Police Station – Jashpur, District- Jashpur (C.G.) for the offence punishable under Sections 379 and 34 of the Indian Penal Code.
2. In this case there are total 05 accused persons. As per the prosecution story, on 03.05.2019, complainant Rajendra Kumar Mishra lodged a report stating therein that on 11.04.2019 some unknown persons have stolen one generator set situated in front of his shop. During course of investigation, said generator set has been seized from the possession of the present Applicant. On the basis of said, offence has been registered. The Applicant has been arrested on 04.05.2019.
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 has no criminal antecedents. He further submits that the

Applicant is in custody since 04.05.2019 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.
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 that the Applicant has no criminal antecedent, he is in custody since 04.05.2019 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. 20,000/- 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