

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4472 of 2019

- Ajit @ Tantu S/o Hulasram Suryavanshi Aged About 20 Years R/o Village Mopka, Police Station Sarkanda, Civil And Revenue District - Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Sarkanda, Civil And Revenue District Bilaspur Chhattisgarh.

---- Respondent

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

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

07/08/2019

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. 602/2018, registered at Police Station – Sarkanda, District- Bilaspur (C.G.) for the offence punishable under Sections 457, 380 & 411 of the IPC.
2. As per prosecution story, on 08.08.2018, complainant of the case Mukesh Kumar Sahu lodged a report in police station alleging therein that some unknown persons stolen cash of Rs. 35,000 and some ornaments from his house. On the basis of said report, offence has been registered. During course of investigation one stolen gold ornament has been seized from the possession of present applicant. The applicant is in custody since 24.03.2019.

3. Learned Counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the co-accused of the case has already granted benefit of bail by the Trial Court itself. The applicant is in custody since 24.03.2019, charge-sheet has already filed 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 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, the evidence collected by the prosecution and further considering the fact that co-accused of the case has already granted benefit of bail by the Trial Court itself. The applicant is in custody since 24.03.2019, charge-sheet has already filed 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 amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge