

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4180 of 2019

- Devkumar Khandey S/o Shri Ola Prasad Khandey Aged About 23 Years By Caste - Satnami, R/o Village - Siltara, Police Outpost - Chilfi, Thana - Lormi, Civil And Revenue District Mungeli Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Lormi, Civil And Revenue District Mungeli Chhattisgarh.

---- Respondent

For Applicant	: Mr. Sunil Sahu, Advocate.
For Respondent/State	: Mr. Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

31/07/2019

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/Istgasa No. 01/2019, registered at Police Station – Lormi, District- Mungeli (C.G.) for the offence punishable under Section 379/34 of the IPC and Section 41 (1-4) of the Cr.P.C.
2. As per the prosecution story, on 18.04.2019, on the basis of information received from an informant, police officials has stopped and searched the applicant along with other co-accused person who ever moving on their motorcycle. The applicant has possessed one DJ, motor pump and other articles in suspicious condition. He has no documents regarding ownership of the said articles. The applicant has been arrested on 18.04.2019.
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 applicant has no criminal

antecedent, he is in custody since 18.04.2019, charge-sheet has been 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 State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution and further considering the fact that the applicant has no criminal antecedent, he is in custody since 18.04.2019, charge-sheet has been 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 local 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