

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4186 of 2019

- Kishan Kumar Banjare S/o Chandulal Banjare, Aged About 22 Years R/o Village Batra, Police Station Pali, District Korba, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Koni, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Shri Bharat Lal Demra, Advocate.
For Respondent/State : Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/09/2019

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. 154/2019, registered at Police Station – Koni, District - Bilaspur, (C.G.) for the offence punishable under Section 379 of Indian Penal Code.
2. As per the prosecution story, on 26.05.2019, Complainant Satya Prakash Bhardwaj lodged a report wherein it has been stated that some unknown person committed theft of one motorcycle bearing Registration No. CG 10 AA 1764 from his house. On the basis of the above report, offence has been registered against unknown person. During course of investigation, said stolen motorcycle has been seized from the possession of the present Applicant. He has been taken into custody on 01.06.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further states that offence is triable by J.M.F.C. Applicant is in custody

since 01.06.2019, 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.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicant is in custody since 01.06.2019, charge-sheet has been filed and trial is likely to take some time, without further commenting on other merits of the case, I am inclined to release him 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 concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge