

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4233 of 2019**

- Raja Kenwat son of Santosh Kenwat, aged about 28 years, R/o Abhilasha Parishar, Block No.37, Bilaspur, District Bilaspur

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station, Sirgitti, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Shri Rajeev Kumar Dubey, Advocate.
For Respondent	:	Shri Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02/08/2019**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 09.06.2019 in connection with Crime No.187/2019 registered at Police Station, Sirgitti, District Bilaspur (C.G.) for the offence punishable under Sections 457, 380, 382, 34 IPC.
2. The prosecution case, in brief, is that on 02.06.2019 at night, when complainant Suresh Kumar Yadu was sleeping on his terrace with his lenovo mobile and purse in which Rs.300/- was kept, unknown accused came in between 2.00 to 5.00 AM and committed theft of his mobile and purse. During investigation, acting on a tip-off, police arrested the accused/applicant, recorded his statement in which he admitted having committed theft. Based on this, FIR was

lodged and offence was registered against the applicant under Sections 457, 380, 382, 34 IPC.

3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the case. It has been also submitted that the applicant is in jail since 09.06.2019, charge sheet has not been filed and there is no likelihood of his case being decided in near future. He further submits that the applicant has no criminal antecedent, therefore, he may be granted bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Having heard learned counsel for the parties and having regard to the fact that the applicant is languishing in jail from 09.06.2019 and that the final disposal of the case will take some time, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-

(Rajani Dubey)
Judge