

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4728 of 2019**

Mahendra Soni S/o Late Jaganaath Prasad Soni, aged about 52 years
R/o Puta Taal, Laal School, House Of Mahesh Khare, P.S. Hanuman
Taal, District Jabalpur, Madhya Pradesh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Civil Lines, District
Bilaspur Chhattisgarh.

---- Respondent

For Applicant : Mr. Achyut Tiwari, Advocate.
For Respondent/State : Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/08/2019

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. 257/2019, registered at Police Station – Civil Lines, District- Bilaspur (C.G.) for the offence punishable under Section 380, 454, 411, 413, 414 of IPC.
2. In this case there are total 03 accused persons. As per the prosecution story, on 13.04.2019 complainant of the case namely Rajesh Sharma lodged an F.I.R. alleging therein that some unknown person has stolen Rs.10,000/- cash, some ornaments of gold and silver, documents, all amounting to Rs.70,000/-. On the basis of said offence has been registered against the unknown person. The allegations against the present Applicant is that he obtained stolen golden ornaments from the co-accused of the case. On the basis of the memorandum statements of the co-accused Sonu Sahu & Lucky Sharma, a piece of gold known as *Dalla* have been seized from the possession of the present Applicant. The Applicant is in custody since

07.06.2019.

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 submits that the Applicant has no criminal antecedents, he is in custody since 07.06.2019 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 the fact that the Applicant is in custody since 07.06.2019 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. 50,000/- with one local solvent surety to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge