

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5212 of 2019**

Deepak Motwani S/o Shri Laxman Motwani Aged About 30 Years Resident Of R.D.A. Colony, Diprapara, House No. 304, Raipura, Tahsil And District - Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, P.S.- D.D. Nagar, Civil And Revenue District - Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Ms. Sunita Sahu, Advocate.
For the Respondent/State : Shri C.B. Kesharwani, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****24.09.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.243 of 2019, registered at Police Station – D.D. Nagar, District – Raipur, Chhattisgarh for the offence punishable under Sections 457, 380 and 411, 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 10.7.2019 and has been falsely implicated in this case. The applicant has not committed any offence. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. FIR has been lodged by the complainant regarding the theft of pickles and spices stored in his godown. During investigation, this applicant was apprehended and interrogated and at his instance some recovery has been made and the value of articles of theft is about Rs.15,000/-.
6. Considering the fact that the case is now pending before the trial Court and the applicant does not have any criminal antecedents, therefore, I feel inclined to grant bail to the applicant in this case.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-
(Rajendra Chandra Singh Samant)
Judge