

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5351 of 2019

Bhagwan Das Koshle S/o Shri Santram Koshle Aged About 18 Years R/o Village Achholi, Thana Urla, Tehsil And District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Urla, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Akhilesh Kumar, Advocate
For Respondent/State	: Mr. Priyanshu Gupta, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

01/10/2019

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.108/2018, registered at Police Station – Urla, District – Raipur (C.G.) for the offence punishable under Section 457 & 380 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 13.05.2018. The applicant has not committed any offence. The trial against the applicant has made no progress, therefore, the applicant is languishing in jail without any fault on his part. Therefore, it is prayed that the applicant may be enlarged on regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, the complainant Tarun Mishra, who has lodged FIR regarding theft of Rs.85,000/-, one silver coin and one packet of Cigarette from his shop. During the investigation, the applicant was apprehended and from his possession only cash of Rs.1,000/- has been seized at his instance.
6. Considered on the submissions made and the contents of the case diary. Considering that the trial is getting delayed and this applicant does not have any criminal antecedents, hence for this reason this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge