

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5391 of 2019

Subhash Suryavanshi S/o Amar Suryavanshi Aged About 20 Years R/o Village Tekar, Awaspara, Police Station Seepat, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Seepat Bilaspur Civil And Revenue District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pradeep Kumar Jogi, Advocate
For Respondent/State	: Mr. C.B. Kesharwani, 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.262/2019, registered at Police Station – Seepat, District – Bilaspur (C.G.) for the offence punishable under Section 457, 380 & 511 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 22.07.2019. He has not committed any offence. 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. It is submitted that this applicant was caught red handed while he was attempting to commit theft in the house of the complainant, therefore, no case is made out for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, complainant Kishan Suryavanshi has lodged FIR that this applicant was attempting to steal his motor cycle for which he had committed house trespass in his house, when the applicant was caught red handed.
6. Considered on the submissions made and the contents of the case diary. Considering that the case is now pending for trial 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