

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5435 of 2019**

- Chandra Kumar Pandey S/o Shri Gopal Pande Aged About 30 Years R/o Village Mouharibhatha, Thana And Tahsil Mahasamund, Civil And Revenue, District Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

**---- Applicant****Versus**

- The State Of Chhattisgarh Through The Police Station House Officer, Police Station Mahasamund, District Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

**---- Respondent**

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For Applicant : Shri Sumit Shrivastava, Advocate.  
For Respondent/State : Shri Akhtar Hussain, Panel Lawyer.

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**16/10/2019**

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. 279/2019, registered at Police Station – Mahasamund, District-Mahasamund, (C.G.) for the offence punishable under Sections 457 and 380/34 of IPC.
2. As per the prosecution story, on 23.06.2019 a report was lodged by complainant Kamal Dewangan with the averment that between 10.06.2019 and 23.06.2019 some unknown persons entered his house and committed the theft of cash amount of Rs. 7,000/- and Silver ornaments amounting Rs. 30,000/- on the basis of that offences have been registered. During the course of investigation Rs. 26,000/- of cash and some ornaments have been seized from the present applicant.
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 is in custody since 03.07.2019, and trial will 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.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering that he is in custody since 03.07.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

**Sd/-  
(Arvind Singh Chandel)  
Judge**