

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5415 of 2019**

- Bhupendra Sahu @ Vakil, son of Shri Bhagwat Sahu, aged about 19 years, resident of Ganga Nagar, Khamtarai, Raipur, Tahsil and District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Gudiyari Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	:	Ms. Sunita Sahu, Advocate.
For Respondent	:	Shri Anurag Verma, P.L.

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 the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.05/2019, registered at Police Station - Gudiyari, Raipur (C.G.) for the offence punishable under Sections 41 (1+4) जा. फौ./379 of I.P.C.
2. The prosecution story, in brief, is that on 21.05.2019, one Yogesh Agrawal lodged a report alleging therein that on 18.05.2019, some unknown person stolen his TVS Sports Motorcycle bearing registration No.CG-23-2159. On the basis of said report, offence has been registered. During the course of investigation, acting on a tip-off, on 09.07.2019 the motorcycle has been seized from the possession of the present applicant. Present applicant has been taken into custody on 10.07.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant asked for the motorcycle from his friends Nandu and Vijay Shankar for treatment of his wife, but he was not having knowledge that the said vehicle was stolen. He also submits that the applicant is in custody since 10.07.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant is in custody since 10.07.2019, he has no criminal antecedent and the 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 his 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