

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5524 of 2019**

- Raja Kenwat son of Santosh Kenwat, aged about 28 years, R/o Abhilasha Parisar, Block No.37, Bilaspur, District Bilaspur (C.G.)

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Shri Rajeev Kumar Dubey, Advocate
For Respondent	:	Shri Anil Tripathi, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****05/11/2019**

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.84/2019, registered at Police Station - Chakarbhata, District Bilaspur (C.G.) for the offence punishable under Sections 457 and 380 IPC.
2. The allegation against the applicant is that he committed lurking house trespass and stolen the silver, golden ornaments and other articles from the house of complainant. Based on this, offence has been registered. Present applicant has been taken into custody on 09.06.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that one anklet is alleged to have been seized by the prosecution, that too from other co-accused. He also submits that the present applicant has been granted

bail on 02.08.2019 by this Court in another case (MCRC No.4233/2019). The applicant, in this case, is in custody since 09.06.2019, 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, and further considering the fact that the present applicant has already been granted bail by this Court in another case, the applicant is in custody since 09.06.2019, 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.25,000/- 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/-

(Rajani Dubey)
Judge