

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5673 of 2019**

- Syed Sultan S/o Syed Hanif Aged About 23 Years, R/o Near Masjid, Kashiram Nagar, Thana Telibandha, Raipur, Tahsil And District Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station Telibandha, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. S. K. Guha, Adv.
For Respondent/State	: Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 322/2019 registered at Police Station Telibandha, Raipur, District-Raipur (C.G.) for the offence punishable under Sections 457 and 380 of IPC.
2. The prosecution story, in brief is that, the complainant namely, Reena Karwani was lodged a report on 15.06.2019 that some unknown person had caused theft of one MI-Redmi 5A mobile phone and cash of Rs. 45,000/- from her house on 06.06.2019. The case was investigated and on the basis of memorandum, the mobile has been seized from the possession of the applicant. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question.

The applicant is in jail since 19.06.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the offence is triable by Judicial Magistrate First Class, the applicant is in jail since 19.06.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**