

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5718 of 2019

- Abbas Ali S/o Mohammad Akram Aged About 20 Years R/o Behind Jutemill, Raigarh Police Station Out Post Jutemill, Police Station Kotwali, Tahsil And District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Of The Out Post Jutemill, Police Station Kotwali, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondent

 For Applicant : Shri Abhishek Saraf, Advocate
 For Respondent/State : Shri Anurag Verma, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

06.11.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.563/2019, registered at Police Station Outpost Jutemill, P.S. Kotwali, District Raigarh(CG) for the offence punishable under Sections 457, 380, 34 of the IPC.
3. As per the case of prosecution, the complainant lodged a report against the applicant that in the intervening night of 19.7.2019 and 20.7.2019, the applicant along with some other persons broke open the lock of the house of the complainant and committed theft of the articles amounting to Rs.25,000/-.

4. Learned counsel for the applicant submits that the applicant has not committed any offence. He submits that no incriminating article has been seized from the possession of the applicant and he has been arrested on the basis of memorandum. He submits that the applicant is in jail since 24.7.2019; charge sheet has been filed and trial may take some time for its final disposal therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicant, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with two sureties of the like amount to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE