

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5841 of 2019**

- Rajkapoor @ Nana S/o Late Dileshwar Aged About 20 Years, Resident Of Satnami Mohalla, Uslapur, Police Station- Sakri, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station- Sakri, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Nitansh Kumar Jaiswal, Adv.
For Respondent/State	:	Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24.10.2019**

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. 256/2019 registered at Police Station Sakri, District Bilaspur (C.G.) for the offence punishable under Sections 457 and 380 of IPC.
2. The prosecution story, in brief is that, the allegation against the present applicant is that on 13.08.2019 at 23:00 O'clock, he committed theft of one Samsung A-6 mobile phone from the house of complainant. Based on this, offence has been registered. Present applicant has been taken into custody on 14.08.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant has no

previous criminal antecedent. The applicant is in jail since 14.08.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant 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 14.08.2019 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**