

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6054 of 2019**

- Vijay Chakradhari S/o Bhushan Lal Chakradhari Aged About 25 Years, R/o Village Naktapar, Komakhan, P.S. Komakhan, Tahsil Bagbahara, District- Mahasamund, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Bagbahara, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Raghvendra Pradhan, Adv.
For Respondent/State	:	Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15.11.2019**

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. 198/2019 registered at Police Station Bagbahara, District-Mahasamund (C.G.) for the offence punishable under Sections 457, 380 and 120-B of the IPC.
2. The prosecution story, in brief is that, complainant Madhukar Shyam lodged a report on 18.08.2019 that Rs. 6,79,250/- have been theft from Liquor shop based on this offence has been registered against unknown persons and during course of investigation the accused/applicant was arrested on the basis of memorandum statement.
3. Learned counsel for the applicant submits that the applicant is innocent and have been falsely implicated in the crime in question. He further submits that the present applicant has been arrested only on the basis of memorandum. The applicant is in jail since

19.08.2019, 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, detention period of applicant and further considering the facts that applicant has no previous criminal antecedent and the offence is triable by Judicial Magistrate First Class. The present applicant is in jail since 19.08.2019 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**