

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6162 of 2019**

- Lokesh Shrivastava @ Golu @ Lokeshwar, S/o Kapil Shrivastava Aged About 28 Years, R/o. Kailash Nagar House No. 3, Ganga Nagar, Adj Court Road Kawardha, P.S. Kawardha, Dist. Kawardha (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh, Through - Station House Officer, Chavni, Dist. Durg (C.G.).

---- Respondent

For Applicant	: Mr. Ajay Ayachi, Adv.
For Respondent/State	: Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.11.2019**

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 Chavni, Dist. Durg (C.G.) for the offence punishable under Sections 457, 380 of I.P.C.
2. The prosecution story, in brief is that, applicant entered A.V.N. Venture Bajaj Motor Cycle Show Room near J.E. Road Power House, Bhilai and after cutting locker, he has taken out Rs. 9,57,600/-. On memorandum 8,32,000/- has been seized . 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. He further submits that the offence is triable by the Judicial Magistrate First Class. The applicant is in jail since 02.04.2019, 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 the Judicial Magistrate First Class. The applicant is in jail since 02.04.2019 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. 25,000/-, 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**