

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6169 of 2019**

- Shiva Sarthi S/o Dhanna Sarthi Aged About 28 Years R/o Atal Awas Koni, Police Station - Koni, Bilaspur, Tah. And District - Bilaspur Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Mr. C.K. Kesharwani, Advocate.
For Respondent	:	Mr. Anil Tripathi, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 244/2019 registered at Police Station - Koni, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 457 & 380 of IPC.
- The prosecution story in brief is that, the complainant made a written report before police station Koni against the applicants alleging therein that the present applicant and other co-accused persons have kept stolen mobile in the Bilasa girls Hostel in night. Thereafter, offence has been registered against the applicant and he was arrested on 04.09.2019.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant is in jail since 04.09.2019, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the fact that the applicant is in jail since 04.09.2019 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.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge