

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6165 of 2019**

- Subhash Gupta S/o Sunil Kumar Gupta Aged About 24 Years, R/o Village Shivpur, Police Station And Tahsil Batauli, District Surguja, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Police Station Batauli, District Surguja, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ravindra Agrawal, Adv.
For Respondent/State	: Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.11.2019**

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. 63/2019 registered at Police Station Batauli, District-Surguja (C.G.) for the offence punishable under Section 379 of IPC.
2. The prosecution story, in brief is that, on 25.05.2019, the applicant has stolen the Motor Cycle of the complainant Manjit Ram from the marriage place at village Shivpur. Motor Cycle has seized from the applicant. 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 applicant has no previous antecedent. The applicant is in jail since 19.07.2019, 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 Judicial Magistrate First Class, the applicant is in jail since 19.07.2019 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**