

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6362 of 2019**

- Ghanshyam Patel S/o Chandrahas Patel Aged About 21 Years, R/o Village Bhendarwani, Police Station Bhakhara, Tahsil Kurud, District Dhamtari, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station Bhakhara, Tahsil Kurud, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Patel, Adv.
For Respondent/State	: Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/11/2019**

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. 144/2019 registered at Police Station Bhakhara, District-Bhamtari (C.G.) for the offence punishable under Sections 454 and 380 of the IPC.
2. The prosecution story, in brief is that complainant Sadhuram Sahu lodged a report that someone stolen Rs. 20,000/- from his Almirah of the house, based on his memorandum the present applicant has been arrested. 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 there is no previous criminal antecedent. The applicant is in jail since 29.07.2019, 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, detention period of applicant and further considering the facts that the offence is triable by Judicial Magistrate First Class and there is no previous criminal antecedent. The present applicant is in jail since 29.07.2019 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**