

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6423 of 2019**

- Salman Ansari, aged about 20 years, S/o Wahid Ali, R/o Janjgiri Maidan, Khurshipar, Bhilai-3, District - Durg (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station Supela, District Durg (C.G.)

---- Respondent

For Applicant	:	Shri Pushkar Sinha, Adv.
For Respondent	:	Shri Vinod Tekam, P.L.

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

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.630/2019, registered at Police Station – Supela, District Durg (C.G.) for the offence punishable under Sections 457 and 380 of IPC.
2. The prosecution story, in brief, is that on 24.06.2019, complainant Kamlesh Jain, who is running a mobile shop at Supela, Bhilai, lodged a report stating therein that in the night intervening 23-24/06/2019, some unknown person broke open his shop and committed theft of 50 mobile phones of different companies. During investigation, the applicant was interrogated and 35 mobile phones were recovered from his possession. Based on this, offence has been registered. The present applicant has been taken into custody on 05.07.2019.
3. 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 custody since 05.07.2019, the offence is triable by Magistrate, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, and further considering the fact that the applicant is in custody since 05.07.2019, the offence is triable by Magistrate and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge