

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6385 of 2019**

- Sunil Das Mahant S/o Amritdas Mahant Aged About 20 Years, R/o Anjori Pali, P.S. Kharsia, Tehsil Kharsia, District- Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, G.R.P. Raigarh, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Upashna Mehta on behalf of Mr. Ajay Ayachi, Adv.
For Respondent/State	:	Mr. Anil Tripathi, 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. 4/2019 registered at Police Station G.R.P. Raigarh, District-Raigarh (C.G.) for the offence punishable under Section 41 (1-4) and Read with 379 of the IPC.
2. The prosecution story, in brief is that from the possession of the applicant mobile phones and motor cycle have seized which was theft by 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 charge-sheet has been filed and there is no previous criminal antecedent of the applicant. The applicant is in jail since 05.06.2019, 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 charge-sheet has been filed and there is no previous criminal antecedent of the applicant and the present applicant is in jail since 05.06.2019 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. 50,000/- 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**