

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6520 of 2019**

- Sahil Kumar Temre S/o Derha Ram Temre Aged About 19 Years, Caste Mahar, R/o Village Amlidih, Police Station Balod, District Balod, Chhattisgarh.

---- Applicant

**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Balod, District Balod, Chhattisgarh.

---- Respondent

---

|                      |   |                                                              |
|----------------------|---|--------------------------------------------------------------|
| For Applicant        | : | Mr. Sourabh Sahu on behalf of<br>Mr. Malay Shrivastava, Adv. |
| For Respondent/State | : | Mr. Anil Tripathi, PL.                                       |

---

**Hon'ble Smt. Justice Rajani Dubey****Order on Board****29/11/2019**

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. 396/2019 registered at Police Station Balod, District-Balod (C.G.) for the offence punishable under Sections 457 and 380 of the IPC.
2. The prosecution story, in brief is that complainant Devlal Kaushal lodged a report that on 30.08.2019 he went to the matrimonial house of his daughter and when he was returned on 02.09.2019 to his house he saw that there was a theft in his house. During investigation it is found that the theft was committed by the present 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 there is no previous criminal antecedent. The applicant is in jail since 05.09.2019, 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 there is no previous criminal antecedent and the present applicant is in jail since 05.09.2019 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.
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**