

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6439 of 2019

- Hemraj Dhurve S/o Banshilal Dhurve Aged About 23 Years Caste - Gond, R/o Village Suradabri, Police Station And Tahsil Chhuikhadan, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

 For Applicant : Shri Roop Naik, Advocate
 For Respondent/State : Shri Anil Tripathi, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

28.11.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.240/2019, registered at Police Station Chhuikhadan, District Rajnandgaon(CG) for the offence punishable under Sections 454, 380 of the IPC.
3. As per the case of prosecution, the complainant Nemkumar Kaushal lodged a report that on 6.9.2019 some unknown person has committed theft in his house and stolen Rs.12,000/- kept in a Purse. Matter was investigated and on the basis of memorandum, the applicant has been arrested.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. The complainant and the applicant are neighbours and a false seizure has been made.

He further submits that the applicant is in jail since 11.9.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the applicant is in jail since 11.9.2019, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE