

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6476 of 2019**

- Sambhajee Jadhav S/o Vitthal Jadhav, aged about 29 years, R/o Valwan, P.S. - Aatpadi, District Sangli (Maharashtra) Present address - Yashvardhan Prestige Shop No. 842, Ravi Vartent Pune, Police Chowki - Ravivarpeth, P.S. Faraskhana, District Pune (Maharashtra))

---- Applicant**Versus**

- The State of Chhattisgarh Through : P.S. Sarkanda, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Shri Achyut Tiwari, Adv.
For Respondent	:	Shri B.L. Sahu, P.L.

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

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.418/2019, registered at Police Station - Thana Sarkanda, District Bilaspur (C.G.) for the offence punishable under Sections 454, 380, 411, 414 & 34 of IPC.
2. The prosecution story, in brief, is that complainant Pushpendra Singh lodged FIR against unknown person for alleged theft committed in his house. During investigation, main accused Neeraj Yadav and Santosh Kolekar were arrested and there memorandum statements were recorded, based on which, 624 grams gold and 962 grams silver nugget was seized from the present applicant. Based on this, offence has been registered. The present applicant has been taken into custody on 25.08.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there is no incriminating material against the present applicant and only on the memorandum statements of the main accused, the present applicant has been arrested. He also submits that the applicant is in custody since 25.08.2019 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, quality of evidence and further considering the fact that the applicant is in custody since 25.08.2019 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.1,00,000/- (Rs. One Lac only) 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