

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6504 of 2019**

- Jeetraj Dev Sikdar, S/o- Shri Rajesh Sikdar, Aged About 18 Years, R/o- HIG 1/449, New Extension Borsi, Durg, Tahsil And District-Durg (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh, Through: District Magistrate, Durg District Durg (C.G.).

---- Respondent

For Applicant	: Mr. Sakib Ahmed, Adv.
For Respondent/State	: Mr. Anil Tripathi, P.L.

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. 439/2019 registered at Police Station Chhawani, District - Durg (C.G.) for the offence punishable under Sections 380, 34 of I.P.C. and Section 3 of the Prevention of Damage to Public Property Act 1984.
2. The prosecution story, in brief is that, the complainant Yogesh Kumar Shrivastava lodged report with the intention that on 27.07.2019, while doing night patrolling he saw a vehicle bearing registration no. CG-03-7548 standing at the porch of police station Chhawani near about 3:45 to 4:10 during that time some unknown thief broke the lock of the driver side and took the mobile, charger, emergency lamp, house keys and mainpack set with Antenna along with battery which was amounted to Rs. 30,000/-. During investigation accused persons namely Jeetraj Dev Sikdar, Roshan Starley and Vishal Singh were arrested and their memorandum was recorded accordingly. Thereafter, 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. There is no previous antecedent was found against him. The applicant is in jail since 20.08.2019, 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. 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 20.08.2019 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 application is allowed.
8. 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**