

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6629 of 2019**

- Upesh Shrivastava, aged about 30 years, S/o Shri Virendra Kumar Shrivastava, R/o Thanapara, P.S.-Ratanpur, District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Sarkanda, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Shri Achyut Tiwari, Adv.
For Respondent	:	Shri V.K. Agrawal, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****03/12/2019**

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.843/2019, registered at Police Station – Sarkanda, District Bilaspur (C.G.) for the offence punishable under Sections 380 and 457 of IPC.
2. The prosecution story, in brief, is that complainant Ahmad, who is Manager in Jana Bank Shila Shikhar, lodged an FIR against unknown person for alleged theft of Rs.6,77,073/- from his bank. During investigation, the applicant was interrogated and Rs.6,77,073/- was recovered from his possession. Based on this, offence has been registered. The present applicant has been taken into custody on 16.09.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that the applicant is in custody since 16.09.2019, the offence is triable by Magistrate 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, and further considering the fact that the applicant is in custody since 16.09.2019, the offence is triable by Magistrate 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.50,000/- 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