

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6720 of 2019**

- Umashankar S/o Ghashiya Ram Sahu Aged About 30 Years R/o Village Aveli Chowki, Jalbandha, Police Station Khairagarh, District Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The District Magistrate Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Shri A.C. Sahu, Advocate.
For Respondent	:	Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09/12/2019**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.82/2019 registered at Police Station - Mohan Nagar, District Durg(C.G.) for the offence punishable under Sections 457, 380/34 of the IPC.
2. Case of the prosecution is that on 13.3.2019 at night, the applicant along with other co-accused persons committed theft of Rs.3,59,400/- by breaking the lock of the Wine Shop which is in possession of complainant Harjinder Singh.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that there is no evidence against the applicant and he has been implicated on the basis of memorandum

statement only. He submits that the applicant is in custody since 10.7.2019 and the trial is likely to take some time for its final disposal, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the applicant is in jail since 10.7.2019, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.1,00,000/- 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.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge