

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6765 of 2019**

- Dubraj Singh S/o Bhukhau Ram Aged About 22 Years, Caste- Chauhan, R/o Village- Raliya, Out Post- Hardi Bazar, District-Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station-Dipka, District-Korba, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Dharmesh Srivastava, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/12/2019**

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. 188/2019 registered at Police Station-Dipka, District-Korba (C.G.) for the offence punishable under Sections 447, 379, 34 of the IPC.
2. The prosecution story, in brief is that complainant Dinesh Kumar Paswan lodged a report that the present applicant along with his friend went to the Gevra Project to steal the copper wire and copper articles. The present applicant entered into the Sovel Machine which was standing in the Gevra Project and was cutting the copper articles and copper wire from the machine, and the present applicant caught red handed with copper articles and copper wire which was being stolen by him. Based on this, 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. He further submits that the applicant is in jail since 20.09.2019, 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. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the present applicant is in jail since 20.09.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- 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**