

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 8739 of 2018

- Sajju @ Sajjad Ahmed S/o Imamuddin Ahmed Aged About 30 Years
R/o- Masanganj, Near Masjid, Police Station Civil Lines, District-
Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- District Magistrate, Bilaspur, District-
Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Hemant Kesharwani, Advocate.
For Respondent/State	: Shri Alok Nigam, Government Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

08/01/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 242/2018, registered at Police Station Tarbahar, District Bilaspur (C.G.) for the offence punishable under Sections 379/34 & 411 of the IPC.
2. As per the prosecution story, on 21-07-2018 at about 3 PM complainant Govind Gangotri lodged a report against unknown person alleging that on 20-07-2018 at about 2-4 PM when he got his sister to CMD College for admission, with his motorcycle Bullet Classic bearing registration No. CG-10 AB 8394, he locked the said motorcycle in front of the CMD College and when he came back, saw that the motorcycle was missing. On the basis of said report, offence has been registered. During course of investigation on the basis of memorandum statement of co-accused, said motor-cycle has been seized from the possession of the co-accused Rashid Ahmad. Allegedly co-accused person Rashid Ahmed purchased the said motor-cycle from the present

applicant. The applicant has been arrested on 26-07-2018.

3. Learned counsel appearing on behalf of the Applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the co-accused Rashid Ahmad has already granted benefit of bail by this Court vide order dated 20.09.2018 passed in MCRC no. 6592/2018, The Applicant is in custody since 26-07-2018, charge-sheet has been filed and trial will take some time. Therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution, further considering the fact that the other co-accused person has already granted benefit of bail by this Court, the Applicant is in custody since 26-07-2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- 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.

**Sd/-
(Arvind Singh Chandel)**

Judge