

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9193 of 2018**

- Sanat Kumar Kashyap @ Milu S/o Ramkumar Kashyap, aged about 19 years Caste Kurmi, R/o Village Kanai, Police Station and Tahsil Janjgir, District Janjgir - Champa, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The (The Collector Janjgir) Station House Officer, Police Station Janjgir, District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	: Shri Sanjeev Kumar Sahu, Advocate.
For Respondent/State	: Shri Bhaskar Payashi, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**04/01/2019**

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. 536/2018, registered at Police Station – Janjgir, District- Janjgir-Champa, (C.G.) for the offence punishable under Section 379, 411/34 of the Indian Penal Code.
2. As per the prosecution story, Complainant Keshav Rathore lodged a report on 31.08.2018 alleging therein that some unknown persons have stolen tyres and wheel pana of his Hyva bearing registration No. CG-11-AB-4155. On the basis of the said report, offence has been registered. During course of investigation, on the basis of memorandum statement of Applicant, stolen tyres have been seized from his possession. The Applicant has been taken into custody on 01.09.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the present case. He further submits that charge-sheet has already been filed and co-accused Dilip Kashyap has already been granted bail by this Court vide order dated 12.10.2018 passed in M.Cr.C. No. 7500 of 2018. Therefore, he may also 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 and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 01.09.2018, charge-sheet has already been filed and 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 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