

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 4 of 2020**

- Arvind Jurri S/o Late Shyam Singh Aged About 30 Years Occupation Government Servant (Constable - C.F.) R/o - Village Charama, Thana And Tahsil Charama, District Kanker Chhattisgarh. At Present R/o 5th Batalian, Jagdalpur, District Jagdalpur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Thana Rakhi District Raipur Chhattisgarh.

---- Respondent

MCRC No. 8120 of 2019

- Arvind Jurri S/o Late Shyam Singh Aged About 30 Years Occup. Government Servant (Constable- C.F.) R/o Village Charama, Thana And Tah. Charama District Kanker Chhattisgarh At Present R/o 5th Battalian, Jagdalpur, District Jagdalpur Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through Police Thana Rakhi District Raipur Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Sanjay Agrawal, Advocate.
For Respondent	:	Mr. Anurag Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.01.2020**

- Learned counsel for the applicant does not want to press the CRMP No. 4/2020 and wants to withdraw the same.
- Prayer is allowed.
- Accordingly, CRMP No. 4/2020 is dismissed as withdrawn.
- 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. 277/2019 registered at Police Station – Rakhi, District Raipur (C.G.) for the offence punishable under Section 379 of IPC.

- The prosecution story in brief is that, on 13.09.2019, the complainant namely Jagdish Lama made a written complaint before the police thana Rakhi stating therein that one X Caliber Insas Riffle (gun) But No. 04, Body No. 14180-2119 and one Magazine loaded with 20 rounds, stolen by the present applicant during his duty from Q.R.T. Vehicle. On the basis of that, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that applicant is jail since 14.09.2019, and he is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by this Court, therefore, he may be released on bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant further considering the fact that the offence is triable by Judicial Magistrate First Class, since, 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.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu