

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 453 of 2020**

- Kunal @ Konal Sinha S/o Laleshwar Prasad Sinha, Aged About 30 Years R/o Road No. 24, Quarter No. 03, Sector - 6 - E, Bhilai Nagar, District - Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Azad Chowk, Raipur, District - Raipur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Avinash Chand Sahu, Advocate.
For Respondent/State	:	Mr. Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.03.2020**

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. 258/2019 registered at Police Station - Azad Chowk, Raipur, District Raipur (C.G.) for the offence punishable under Sections 379, 420, 201 of the IPC.
2. As per the prosecution case, the allegation against the present applicant is that, when the complainant's son was going somewhere by his scooty bearing Registration No. C.G. 04 MC 1728, the applicant took a lift from him and after some time, applicant began to ride the bike and hardly had the complainant's son got off the bike, applicant fled away with his scooty. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further added in his submission that FIR was registered against unknown person and this applicant has been falsely roped in the crime in question. He next submits that the applicant is in jail since 11.10.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.
4. Per contra, State counsel 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, as the applicant is in jail since 11.10.2019 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 said Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu