

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 423 of 2020**

- Om Prakash Yadav S/o Shri Bhujwal Ram Yadav Aged About 31 Years R/o Gudwa, Bhandapara, P. S. Baradwar, District Janjgir Champa Chhattisgarh At Present R/o Forest Department Colony, Rajatalab Raipur, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Civil Line Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C. R. Sahu, Adv.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, 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 Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 629/2019 registered at Police Station - Civil Line Raipur, District - Raipur (C.G.) for the offence punishable under Sections 457 and 380 of the IPC.
2. The prosecution story, in brief is that, the complainant lodged a report that some unknown person has stolen gold & silver ornaments, ATM Card and cash amount total valuation of Rs. 6,72,000/- from his shop. After investigation, the present applicant has been arrested and on the basis of memorandum statement stolen articles has been seized from the applicant. 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 03.11.2019, 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 applicant is in jail since 03.11.2019 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**