

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 502 of 2020**

- Ankit Mishra, Aged About 18 Years 10 Months, S/o Sarvesh Kumar Mishra, R/o House Of Shanta Bai, Near Mangalam Bhawan, Samta Colony, Police Station Azad Chowk Raipur, District- Raipur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through: The Station House Officer, Police Station- Gudhiyari, Raipur Chhattisgarh

---- Respondent

For Applicant	: Mr. Keshav Prasad Gupta, Adv.
For Respondent/State	: Mr. Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

05.03.2020

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. 375/2019 registered at Police Station- Gudhiyari, Raipur, (C.G.) for the offence punishable under Sections 457 & 380 of IPC.
2. The prosecution story, in brief is that, complainant lodged a report stating that on 19.09.2019, one of his friend had stolen two sets of mobile from his house. Thereafter, 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 20.09.2019, 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, and further considering the facts that the applicant is in jail since 20.09.2019 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**

Ruchi