

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 671 of 2020

- Dinesh Kumar Sahu S/o Ajeet Ram Sahu Aged About 31 Years
R/o Village Kanketara, Tehsil And District Rajnandgaon,
Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Khairagarh,
District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	: Shri Abhishek Pandey, Advocate
For Respondent/State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

13/03/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.215/2019 registered at police station Khairagarh, District Rajnandgaon (CG) for the offence punishable under Section 379 IPC.

As per prosecution case, report was lodged by the complainant Kunjilal Sahu alleging that his motorcycle which he has parked near some General Store and went to purchase vegetables, some unknown person committed theft of his bike. On search being made by the police, it was recovered from the possession of the applicant.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the ingredients of the Section are not made out against the applicant. He further submits that the applicant is in jail since 26.07.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge