

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1540 of 2020**

Ajay Kumar Shriwas, aged about 41 years, son of Shivnarayan Shriwas,
resident of Chunchunipara, Gevra Basti, Police Station-Kusmunda, District –
Korba (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through: Station House Officer, Police Station –
Kusmunda, District – Korba (C.G.)

----Non-applicant

For Applicant	: Mr. K.K. Dewangan, Advocate
For Non-applicant/State	: Mr. Jitendra Pali, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/05/2020**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 02/2020 (Ishtgasa) registered at police Station Kusmunda, District Korba (C.G.) for the offence punishable under Section 41 (1-4) of the Cr.P.C. and Section 379 of the Indian Penal Code.

(2) Case of the prosecution, in brief, the applicant had stolen 400 liters of diesel worth Rs. 28,000/- from Kusmunda Mines and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant submits that applicant has been falsely implicated in the crime in question as there is no evidence available on record to

connect the applicant with the crime in question. He further submits that the applicant has been arrested on 07.02.2020 and no useful purpose would be served in detaining him further in jail and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail applicant

(5) Taking into consideration the nature and gravity of the offence, further considering the fact that the applicant has been arrested on 07.02.2020, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

(6) 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 trial Court on each and every date given by the said Court till disposal of the trial.

(7) It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

(8) Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

