

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1795 of 2020**

- Kishan Malik S/o Kamal Malik Aged About 24 Years R/o S.E. Colony Qr. No. 1004/2, Police Station- Torwa, Tahsil And District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through, Police Station- Torwa, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Purnendra Khichariya, Advocate.
For Respondent/State	:	Mr. Dinesh Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.06.2020**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 461/2019 registered at Police Station : Torwa, District Bilaspur (C.G.) for the offence punishable under Sections 457 & 380 of the IPC.
2. The allegation against the present applicant is that he broke into the shop of the complainant and stole some clothes and cash of Rs. 5,000/-. Based on that offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He next submits that the seized articles were purchased by the applicant and he has the receipt of that, but the same has not

been considered. He further submits that the applicant is in jail since 01.02.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering that the applicant is in jail since 01.02.2020 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 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.
8. 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.

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

Vijay Sahu