

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1860 of 2020**

- Rajendra Sahu @ Kallu, son of Ramesh Sahu, aged about 32 years (wrongly mentioned as aged about 19 years), caste Teli, resident of Power House, Torwa, District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Torwa, Bilaspur, Civil and Revenue District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Shri Luvkush Sahu, Advocate
For Respondent	:	Shri Siddharth Dubey, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****10/06/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.76/2020, registered at Police Station - Torwa, District Bilaspur (C.G.) for the offence punishable under Sections 457 and 380 IPC.
2. The prosecution story, in brief, is that the police of police station Torwa, Bilaspur, received secret information that the present applicant is searching for custody to sale golden and silver ornaments which he had kept with him. During search, since the applicant could not give satisfactory explanation, the alleged articles were seized from him. Based on this,

offence has been registered. The present applicant has been taken into custody on 22.02.2020.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant has been arrested only on the basis of suspicion. He also submits that the applicant is in custody since 22.02.2020 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 22.02.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.
9. 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.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

Pekde