

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2836 of 2020**

- Pintu Kumar S/o Suresh Kumar Yadav Aged About 21 Years R/o Village-Yashpur, Police Station- Fatehpur, District- Gaya, Bihar.

---- Applicant**Versus**

- State of Chhattisgarh Through The Police Station Kasdol, District- Balodabazar Bhatapara, Chhattisgarh.

---- Respondent

 For Applicant : Ms. Supriya Upasane, Advocate
 For Respondent/State : Mr. Anand Verma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey
Order on Board

02.06.2020

1. Heard on Admission.
2. Admit.
3. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for his release on regular bail during trial in connection with Crime No.673/2018, registered at Police Station – Kasdol, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Sections 41(1+4) CrPC, 379 of IPC.
4. It is the case of the prosecution that a complaint was lodged by Dilip Kumar alleging therein that unknown person for one stolen vehicle pickup Bolero bearing no. C.G. 22 C 0318. In the course of investigation, no involvement was found and closure report was made on 13.07.2019, but again on 24.02.2020 investigation was started for one stolen vehicle Bolero u/s 41(1+4) CrPC/379 of IPC against the present applicant.

5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that as the applicant is in custody since 25.02.2020, charge sheet has been filed and the trial is likely to take some time for its final disposal, therefore, he may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. I have heard learned counsel for the parties and perused the record.
8. Considering the facts and circumstances of the case, in particular the nature of offence and further considering the fact that the applicant is in jail since 25.02.2020, charge sheet has been filed and there is no likelihood of his case being decided in near future, without further commenting on merits of the case, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
9. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
10. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one local surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed, till the disposal of the trial.
11. 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 23.3.2020 in the matter of **In** **Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (C) No. 1/2020), they need not furnish bail bond afresh and the bail bond already furnished shall be deemed to be the bail bond furnished in compliance of the order of this Court, but if he has not furnished the bail bond earlier, then he will be required to furnish bail bond within four weeks from today.

12. Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

Nadim