

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3227 of 2020**

- Tikesh, S/o Mohit Lahre, Aged about 18 years, R/o Ward No. 7, Behind of Bijli Office, Bemetara, PS & District Bemetara (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – Station House Officer, PS- Bemetara, District Bemetara (C.G.)

---- Respondent

For Applicant : Mr. Rajkumar Pali, Advocate.
For Respondent/State : Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.06.2020**

- The accused/applicant has moved his first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 140/2020 registered at Police Station- Bemetara, District- Bemetara (C.G.) for the offence punishable under Sections 457 & 380 of IPC.
- According to the prosecution story, on 04.03.2020 at 05:00 pm, the complainant Bhoj singh Verma lock the door of his house and went to native place at Amora when he come back on 06.03.2020 at 12:45 pm at that time he saw the lock was opened and some articles i.e. one golden ring, Rs. 5000/- case, one drill machine, CCTV Camera, Wi-Fi, one gas cylinder, documents of hose and others usable cloths were theft, on the basis of which report was made against unknown person and aforementioned crime was registered.
- Learned counsel for the applicant submits that the applicant is innocent person who has been falsely implicated in the aforesaid case, he further submits that the applicant has been arrested only on the basis of memorandum of co-accused and there is no

other clinching and connecting evidence against the present applicant to connect him with this crime. He next contended that the applicant is in jail since 16.04.2020, therefore he may be granted bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 50,000/-, with one local surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.
- 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), they 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 they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

Sd/-
(Rajani Dubey)
Judge