

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3566 of 2020**

- Sonu Sahu S/o Bhalla Ram Sahu Caste Teli aged about 26 years, R/o Joratarai, P.S. Bhilai Bhatthi, District-Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - The District Magistrate Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Avinash Chand Sahu, Adv.
For Respondent/State	:	Mr. Dinesh Tiwari, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/08/2020**

1. Heard on admission.
2. Admit.
3. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 02/2020 registered at Police Station Bhilai Bhatthi, District-Durg (C.G.) for the offence punishable under Sections 380, 457, 34 of the IPC and 25, 26 of Safety Act (As per Charge-Sheet).
4. The prosecution story in brief is that, complainant Abhishek Singh lodged a report that some unknown persons have stolen the 7 numbers of computer CPU, 05 numbers of Monitor, 05 numbers of computer Key-board and other computer related items from the BSP area. During course of investigation police arrested the present applicant and other co-accused and the fact came to know that the present applicant and other co-accused person have theft the said articles. On the basis of memorandum of the accused person some articles have been seized from the applicant and other co-accused person. Based on this, offence has been registered against the present applicant and other co-accused person.
5. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated in the crime in question. He further submits that on the basis of memorandum the present applicant has been arrested. He further submits that the applicant is in jail since 24.02.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

6. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; therefore, no case is made out for grant of bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the applicant is in jail since 24.02.2020, 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.
9. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/- with one local 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 to him by the said Court.

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