

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4242 of 2020**

- Mayank Thakur @ Dadu, S/o Khomlal Thakur, Aged About 18 Years, R/o House No. 112/H, Risali Sector, Bhilai, Near BSF Office, P.S.-Nevai, Tehsil & District- Durg (C. G.).

---- Applicant**Versus**

- State of Chhattisgarh, Through- S.H.O. Nevai, District- Durg (C. G.).

---- Respondent

For Applicant : Mr. B. P. Singh, Adv.

For Respondent/State : Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.08.2020**

1. 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. 149/2019 registered at Police Station- Nevai, District- Durg (C.G.) for the offence punishable under Sections 457, 380, 34 of IPC.
2. The prosecution story, in brief is that, complainant lodged a report alleging that on 19.06.2019, he went to his newly constructed house along with his family members and on 20.06.2019, when maid came to his house and opened the room whereby it was found that some unknown person has stolen a bronze idol of Ganesh lord. Thereafter, offence has been registered against the present applicant and he has been taken into custody.
3. 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 the charge-sheet has been filed and nothing has been seized from the possession of the applicant. The applicant is in jail since 12.10.2019 and there is no likelihood of his case being

decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that 12 other cases of same nature have been registered against the present applicant, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the charge-sheet has been filed and nothing has been seized from the possession of the applicant. The applicant is in jail since 12.10.2019 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 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**

Ruchi