

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4450 of 2020**

- Nileshwar Kashyap @ Billa son of Fakir Ram, aged about 20 years, Caste- Sadlohar, resident of Village- Dipatoli, Jashpurnagar, Tahsil and District Jashpur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through- the Station House Officer, Police Station Jashpur, District Jashpur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. J.K. Saxena, Advocate.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25.08.2020**

1. The applicant has filed this first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 335/2019 registered at Police Station Jashpur, District Jashpur (C.G.) for the offence punishable under Sections 457, 380, 411 of the IPC.
2. The allegation against the present applicant, as per the prosecution case is that he along with other co-accused person entered the house of the complainant and stolen some golden and silver ornaments. Based on that, offence has been registered and he has been arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He also added that on the basis of memorandum, the stolen property

has been seized from the co-accused and only Rs. 300/- has been seized from the present applicant. The applicant is in jail since 03.06.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, as applicant is in jail since 03.06.2020 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.
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 said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge