

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4715 of 2020**

- Shankar lal Thakur S/o Awadhram Thakur aged about 35 years, R/o Shanti Nagar, Goura Chaura, Durg P.S. Mohan Nagar, Tehsil & District Durg (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through, The District Magistrate, Durg (CG)

---- Respondent

 For Applicant : Shri A.C. Sahu, Advocate
 For Respondent/State : Shri H.S. Ahluwalia, Dy. Adv. General

Hon'ble Smt. Justice Rajani Dubey
Order On Board

14.9.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.61/2020, registered at Police Station Utai, District Durg(CG), for the offence punishable under Sections 454, 380 of the IPC.
3. As per the case of prosecution, the applicant has committed theft of one gas cylinder from the house of the complainant in the night. On the basis of memorandum, the applicant has been arrested.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that a report was lodged against unknown person and there is no eye-witness to the incident. He further submits that the

applicant is in jail since 17.3.2020; charge sheet has been filed and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application. He submits that the applicant has been arrested on the basis of his memorandum statement.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant; charge sheet has been filed and the detention period of the applicant, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. 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 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.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE