

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4957 of 2020**

- Admon Kerketta S/o Rijhu Kertetta aged about 20 years, R/o Kunkuri, Dipatoli, Police Station-Kunkuri, District-Jashpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Station House Officer, P. S. Kunkuri, District-Jashpur, Chhattisgarh.

---- Respondent

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

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/09/2020**

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. 23/2020 registered at Police Station Kunkuri, District-Jashpur (C.G.) for the offence punishable under Sections 457, 380, 511, 34 of the IPC.
2. The prosecution story in brief, is that the complainant lodged a report that on 10.03.2020 the complainant has caught red handed to the applicant and co-accused Akash, while they were trying to commit theft in his house. Based on this offence has been registered against the present applicant and co-accused.
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 applicant has not stolen any article from the house of the complainant and the charge-sheet has been filed. He also submits that the applicant is in jail since 10.03.2020, 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 submits that the applicant is a habitual offender; 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, detention period of applicant and further considering that the applicant is in jail since 10.03.2020, 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 trial Court on each and every date given to him by the said Court.

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