

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5180 of 2020**

- Kumbhaj @ Butti Sahu S/o Shri Bhaggu Sahul, aged 30 years, R/o Shanti Nagar Tifra, Police Station- Sirgitti, Tahsil & District Bilaspur (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station Officer, Police Station Sirgitti, District Bilaspur (CG)

---- Respondent

 For Applicant : Shri Atanu Ghosh, Advocate
 For Respondent/State : Shri H.S. Ahluwalia, Dy. Advocate General

Hon'ble Smt. Justice Rajani Dubey
Order On Board

21.09.2020

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.284/2020, registered at Police Station Sirgitti, District Bilaspur(CG) for the offence punishable under Sections 457, 380 and 411 of the IPC.
3. As per the case of prosecution, the complainant has lodged a report that the applicant has committed theft of gold and silver ornaments, total amounting to Rs.50,000/- from his house while he was sleeping with his mother and nephew.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. He submits that the FIR has been lodged against unknown persons and no recovery has been made from the applicant. He submits that the applicant is

in jail since 30.6.2020 and trial is likely to 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.
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; yet charge sheet has not been filed and trial may take some time for its final disposal, 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