

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5002 of 2020**

- Amarjeet, aged about 20 year, S/o Dilip Vijaywar, R/o Ward No.22, Kera Road, Janjgir, District Janjgir-Champa (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Chowki Naila, District Janjgir-Champa (C.G.)

---- Respondent

For Applicant	:	Shri Ravindra Sharma, Advocate
For Respondent	:	Ms. Sunita Jain, G.A.

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

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.312/2020, registered at Police Station - Naila, District Janjgir-Champa (C.G.) for the offence punishable under Sections 411, 34 and 381 IPC.
2. Allegation against the present applicant is that he along with co-accused Anwar Khan committed theft of pump and crackers. Based on this, offence has been registered. The present applicant has been taken into custody on 13.07.2020.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that only on the basis of memorandum of co-accused, the present applicant has been arrested. The stolen property has not been seized from the exclusive possession of the present applicant. He also submits that the applicant

is in custody since 13.07.2020 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 13.07.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge