

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5480 of 2020

Nitesh Yadav S/o Late Dhaniram aged about 21 years,
R/o Village Godihari Tahsil Sarangarh, District
Raigarh(CG)

---- Applicant

Versus

State Of Chhattisgarh through Station House Officer,
Police Station Kotra Road, District Raigarh (CG)

---- Respondent

For Applicant : Shri Ashish Gupta, Advocate
For State/Respondent : Shri Gagan Tiwari, Dy.G.A.

Hon'ble Smt.Justice Rajani Dubey
Order On Board

29.09.2020

1. The matter is heard through video conferencing.
2. 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 Ishtagasha No. 3/2020, registered at Police Station Kotra Road, District Raigarh(CG) for the offence punishable under Sections 41(1-4) of the Cr.P.C. and Section 379 of the IPC.
3. Case of the prosecution is that one Hero Honda Deluxe motorcycle has been seized from the possession of the applicant, which he was holding without any document and it was a stolen property.
4. Learned counsel for the applicant submits that the applicant is innocent and he has not committed any offence. He submits that the applicant is in jail since 22.7.2020 and trial may take some time for its final disposal, therefore, the applicant may be released on bail.
5. On the other hand, learned State counsel opposes the bail application.

6. I have heard learned counsel for the parties.
7. Considering the totality of the facts and circumstances of the case; nature of allegations and further considering the detention period of the applicant and trial is likely to take some time for its final disposal, I am inclined to release the applicant on regular bail. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
8. 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.
9. Certified copy as per rules.

**Sd/
(Rajani Dubey)
JUDGE**