

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6240 of 2020**

- Dinesh Kumar @ Chhotu, S/o Shri Gore Lal Chauhan, Aged about 22 years, R/o Ward No. 04, Juna Talabpara, Naila, Police Chauki Naila, PS Janjgir, Civil and Revenue District Janjgir-Champa (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, through– District Magistrate, Janjgir, Civil and Revenue District Janjgir-Champa (C.G.)

---- Respondent

For Applicant	: Mr. Paras Mani Shriwas, Advocate.
For Respondent/State	: Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/09/2020**

1. Heard on admission.
2. Admit.
3. 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. 312/2020 registered at Police Station- Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Sections 381, 411, 34 of the Indian Penal Code, 1860.
4. The prosecution story in brief is that, the complainant namely Pawan Agrawal has written complaint before the concerned Police Chauki and stating that employees of his shop have been thieving the pumps and crackers from his shop which were keeping for sale and during the course of searching, some chackers have been seized from the possession of the present applicant, thereafter arrested to him on same day.
5. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the crime in question. He further submits that during the course of seizure

no any articles have been seized from the possession of the present applicant. He next submits that the applicant is in jail since 13.07.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

6. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; therefore, no case is made out for grant of bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. 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 13.07.2020, 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 present applicant on bail. Accordingly, the bail application is allowed.
9. 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.

Certified copy, as per rules.

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