

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6076 of 2020**

- Chandan Das S/o Shri Nakul Das, Aged About 18 Years R/o Khada Dorna, P.S. Sitapur, District Surguja Chhattisgarh

**---- Applicant**

**In Jail**

**Versus**

- State Of Chhattisgarh Through Out Post Vijaynagar, P.S. Sanawal, District Balrampur Ramanujganj Chhattisgarh.

**---- Respondent**

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| For Applicant        | : | Shri Bhupendra Singh, Advocate.      |
| For Respondent/State | : | Shri Vimlesh Bajpai, Govt. Advocate. |

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**Hon'ble Shri Gautam Chourdiya, J**

**Order On Board**

**27/11/2020**

1. This is the first application filed under Section 439 of CrPC for grant of bail to the applicant as he is arrested in connection with Crime No.6/2020 registered at Police Station – Sanawal, Distt. Balrampur-Ramanujganj (CG) for the offence punishable under Sections 457, 380 read with Section 34 of IPC.
2. Allegation against the applicant is that on 11.2.2020 at about 1 am, he along with other co-accused persons committed house trespass in the residential house of complainant Ganga Pal situated at Village-Trishuli, P.S. Sanawal, and committed theft of 39 she-goats and 1 goat, worth Rs.80,000/-.
3. Learned counsel for the applicant submits that the applicant is an

innocent person and falsely implicated in this crime. The FIR was lodged against unknown person, the applicant has been arrested on the basis of suspicion, he is in jail since 17.3.2020, charge sheet has already been filed and conclusion of trial is likely to take some time. Therefore, it is prayed that the applicant be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the applicant is the habitual offender and involved in similar offences.

5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the detention period of the applicant and the fact that disposal of the trial is likely to take some time, without expressing any opinion on merits of the case, this Court is inclined to release the applicant on bail. Accordingly, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs. 1 lac with two local sureties, each of Rs.50,000/-, to the satisfaction of the trial court, he shall be released on bail. He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

It is made clear that if the applicant involves himself in future in any similar offence, this order granting bail to him shall automatically stand cancelled without further reference to the Bench.

Sd/

**(Gautam Chourdiya)**

**Judge**

Khan