

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6331 of 2020**

- Sumit Kumar Navik Son Of Sunil Navik, Aged About 21 Years R/o. Village Khukhri, Khutanpara, Police Station - Rajpur, District - Balrampur - Ramanujganj (Chhattisgarh), District : Balrampur, Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station - Rajpur, District - Balrampur - Ramanujganj (Chhattisgarh), District : Balrampur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Pushpendra Kumar Patel, Advocate
For State	:	Mr. D.K. Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****4-12-2020**

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 20-7-2020 in connection with Crime No. 106 of 2020 registered in Police Station- Rajpur, District Balrampur-Ramanujganj (CG) for the offence punishable under Sections 379, 427/34 of IPC.
2. The allegation against the applicant is that he along with other co-accused person has stolen the motor-cycle of the complainant and damaged the same at Khukhri Dam and thereby the aforesaid offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime and there is no evidence to connect the applicant with the crime in question. He would further submit that the offence is triable by the Judicial Magistrate First

Class, the applicant is languishing in jail since 20-7-2020, charge-sheet has been filed and conclusion of the trial is likely to take some time, therefore, the applicant may be granted bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Considered the facts and circumstances of the case, further considering the fact that the offence is triable by the Judicial Magistrate First Class, the detention period of the applicant and the fact that conclusion of the trial may take some time, without expressing any opinion on merits of the case, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.50,000/- with two equivalent sureties for the like amount to the satisfaction of the concerned trial Court, he shall be released on bail. He is directed to appear before the trial Court on each and every date given to him by the said Court, till disposal of the trial.
6. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)

Judge

Raju