

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 6610 of 2020

- Karan Giri son of Rajkumar, aged about 24 years, Caste-Goswami, resident of Konkona, Police Station- Bango, District Korba (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station – Bango, District- Korba (C.G.)

---- State/Non-applicant

For Applicant : Shri S.R.J. Jaiswal, Advocate

For Non-Applicant/State : Shri Rakesh Sahu, Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

18.11.2020

1. Heard on admission.
2. The application is admitted for hearing.
3. With the consent of the parties, the application is heard finally.
4. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 05.09.2020 in connection with Crime No. 118/2020 registered in Police Station- Bango, District Korba (CG) for the offence punishable under Sections 457 & 380 and read with Section 34 of the Indian Penal Code.
5. As per prosecution, allegation against the present applicant is that in the night of 03.09.2020 the present applicant alongwith two other co-accused committed theft of she-goats in the house of complainant Budhwara Agariya.
6. Learned counsel for the applicant submits that the applicant has not committed the alleged offences, no stolen goat has been recovered from him and only on the memorandum of co-accused the applicant has been arrested by the police. He further submits that the applicant is an innocent person, he has been falsely implicated in this crime, he is languishing in jail since 05.09.2020 and conclusion of the trial is likely to take some time. Therefore, the applicant be released on bail.

7. On the other hand, learned counsel for the State opposes the bail application.
8. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and the fact that the applicant is in jail since 05.09.2020 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.25,000/- with one surety 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.
9. 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