

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7129 of 2019**

- Kanhaiya Sahu S/o- Herasingh Sahu Aged About 32 Years, R/o- Boriyakala Bramhanpara, P.S.- Mujgahan, District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : S.H.O. - P.S. - Kondagaon, District - Kondagaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Hemant Gupta, Adv.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09/01/2020**

1. 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. 115/2018 registered at Police Station-Kondagaon, Civil & Revenue District-Kondagaon (C.G.) for the offence punishable under Sections 457 and 380 of the IPC.
2. The prosecution story, is that complainant Shaishmal Jain, lodged a report that on 07.05.2018 at intermediate night some unknown person had stolen gold and silver ornaments from his house and on the basis of memorandum the offence has been registered against the present applicant and his wife.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 25.10.2018, there is no likelihood of his case being decided in near future,

therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the applicant is in jail since 25.10.2018 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 applicant on bail. Accordingly, the application is allowed.
7. 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.

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