

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7113 of 2019**

- Pramod Das aged about 24 years, S/o Dhaneshwar, Caste Panika, R/o village Mudgaon, Post Dandgaon, P.S. Udaypur, District Surguja (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station Katghora, District Korba (C.G.)

---- Respondent

For Applicant	:	Shri F.S. Khare, Adv.
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****02/01/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.234/2019, registered at Police Station – Katghora, District Korba (C.G.) for the offence punishable under Sections 457, 380 and 411 IPC.
2. The allegation against the present applicant is that he committed theft of 51 nos of mobile phones worth of Rs.70,140/- from the shop of complainant Anil Nagwani.
3. Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. He further submits that only on the basis of suspicion the applicant has been arrested. He also submits that the applicant is in custody since 23.09.2019 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. Learned State counsel submits that the applicant has no criminal antecedent.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant has no criminal antecedent, the applicant is in custody since 23.09.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

Pekde