

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7427 of 2019**

- Shravan Chouhan S/o Nehrula Chouhan, Aged About 23 Years Occupation Labourer, R/o Village Bansamuda, Ps And Tah Kharsiya District Raigarh Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Thana In-Charge, Ps Kharsiya, District Raigarh Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Rajendra Tripathi, Advocate.
For State	:	Mr. Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/01/2020**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing his on regular bail during trial in connection with Crime No. 223/2018 registered at Police Station - Kharsiya, District Raigarh (C.G.) for the offence punishable under Sections 457, 380/34 of IPC.
- As per the prosecution story, in brief, on 22.04.2018 the present applicant along with other co-accused has stolen some household articles i.e. Freeze, Stabilizer, Fan Printer etc. by breaking into the shop of complainant Naresh Yadav. On the basis of above facts, after completion of investigation, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submitted that the applicant is in jail since 03.08.2019 and he is ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this

Court, the present applicant may be released on bail.

- Per contra, State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant and further considering the fact that the offence is triable by Judicial Magistrate First Class 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.
- 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 said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge