

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7239 of 2019**

- Sonu Bharti, S/o Bishat Bhart, Aged About 28 Years, R/o Near Bajrang Chowk Village Hanoda Outpost Padmanbhpur, Tehsil and District - Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Mohan Nagar Durg, District Durg Chhattisgarh.

---- Respondent

For Applicant	: Mr. Aman Yadav, Adv.
For Respondent/State	: Mr. V. K. Agrawal, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.01.2020**

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. 82/2019 registered at Police Station Mohan Nagar Durg, District Durg (C.G.) for the offence punishable under Sections 457, 380, 34 of I.P.C.
2. The prosecution story, in brief is that, on 13.03.2019 at night, the applicant along with other co-accused persons committed theft of Rs. 3,59,400/- by breaking the lock of the wine shop which is in possession of complainant Harjinder Singh. Thereafter, offence has been registered against the present applicant.
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 other co-accused has been granted bail in MCRC No. 6720/2019 vide order dated 09.12.2019. The applicant is in jail since 10.07.2019, 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, and further considering the facts that the other co-accused has been granted bail in MCRC No. 6720/2019 vide order dated 09.12.2019. The applicant is in jail since 10.07.2019 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. 1,00,000/-, 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**