

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7301 of 2019**

- Suraj Tandon S/o Bajarha Tandon, Aged About 21 Years, R/o Village Khudiyadih, Police Station Takhatpur, District Bilaspur, Chhattisgarh.

----Applicant**Versus**

- State Of Chhattisgarh, Through its Police Station Sirgitti Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ravi Maheshwari, Adv.
For Respondent/State	:	Mr. Anil Tripathi, 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. 14/2019 registered at Police Station-Sirgitti, Bilaspur, Civil & Revenue District - Bilaspur (C.G.) for the offence punishable under Section 41 (1-4) of Cr.P.C. and 379, 411 of the IPC.
2. The prosecution story, is that 13 numbers of theft motorcycles were sold by Heeradas Sonwani out of which 02 motorcycles were seized from the possession of the present applicant and remained motorcycles were purchased by other co-accused persons. Based on this, offence has been registered against the present applicant and other co-accused persons.
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 main allegation is against the co-accused person. The applicant is in jail since 24.10.2019, 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, detention period of applicant and further considering the facts that the main allegation is against the co-accused person and applicant is in jail since 24.10.2019 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. 25,000/- 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**