

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7596 of 2019**

- Ganga Das S/o Late Gopal Das Aged About 20 Years, R/o Village Devtara, Police Station And Tashil Takhatpur, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through- Station House Officer, Police Station Sirgitti Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Sunita Sahu, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/01/2020**

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 (Istagasa) No. 14/2018 registered at Police Station - Sirgitti, Bilaspur, District-Bilaspur (C.G.) for the offence punishable under Sections 41 (1-4) of Cr.P.C. and 379, 411 of the IPC.
2. The prosecution story, in brief is that, the main accused person Heeradas Sonwani was sale out the theft 13 numbers of motorcycle to other accused person with the present applicant and on the basis of complaint made by the complainant the police has registered the case against the unknown person and after the investigation, the police has arrested the present applicant on the basis of memorandum statement. Present applicant has been taken into custody on 24.10.2019.

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 24.10.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application submitting that the applicant did a very heinous crime to purchase theft motorcycle so, it is not a fit case to release him on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

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