

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7509 of 2019

- Dev Kumar Sahu S/o Late Dukalu Sahu Aged About 34 Years R/o Gopal Nagar, Gali No. 1, Police Station Gudiyari, Raipur, Tahsil And District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Gudiyari Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	:-	Ms. Sunita Sahu, Advocate
For Respondent-State	:-	Mr. Waseem Miyan, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

14/01/2020

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 388/2019 registered at Police Station – Gudiyari Rajpur, District Raipur (C.G.) for the offence punishable under Section 379 of the IPC.
- The prosecution story, in brief, is that on 01.10.2019 he was slept after standing his auto at infront of Shitla Bhawan and after waking he was not found his vehicle on the spot. Based on this, offence has been registered. The present applicant has been taken into custody on 07.10.2019.

- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the police has not seized said article from the applicant. Next submits that the applicant is in jail since 07.10.2019, he is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by this Court, the present applicant may be released on bail.
- On the other hand State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties and perused the entire material available on record.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that the present applicant is in jail since 07.10.2019 and as 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 their 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. Applicant is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge