

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7543 of 2019**

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

---- Applicant**Versus**

- State Of Chhattisgarh Through It's Police Station - Civil Line Bilaspur, Civil And Revenue District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Ravi Maheshwari, Advocate
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.1.2020**

1. 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. 689/2019, registered at Police Station -Civil Lines, Bilaspur, District Bilaspur(C.G.) for the offence punishable under Sections 379 and 411 of the IPC.
2. Case of the prosecution is that complainant Ishwar Patel lodged a report of theft of his motorcycle on which crime was registered against unknown person on 16.10.2019. During investigation, it was found that earlier one motorcycle was seized from the possession of the applicant on Istagasha No.14/2019.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He

submits that the applicant has purchased the vehicle in exchange offer on the occasion of Dipawali festival from one Heeradas. He submits that in earlier case Istagasha/Crime No.14/2019 the applicant has already been enlarged on bail in MCRC No.7301/2019 and the applicant is in custody since 24.10.2019 and the trial is likely to take some time for its final disposal, therefore, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the detention period of the applicant and he has been enlarged on bail in MCRC No.7301/2019, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
8. Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge