

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7584 of 2019**

- Rahul S/o Devsingh Lodhi Aged About 22 Years, R/o Village Khajri, Police Station And Tahsil Khairagarh, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station Khairagarh, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Abhishek Sharma, Adv.
For Respondent/State	:	Ms. Akshra Amit, PL.

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

1. Earlier applicant was granted interim bail vide order dated 17.12.2019 in MCRC No. 7584/2019 from 17.12.2019 to 12.01.2020, and he was directed to surrender on 13.01.2020 by 11.00 AM. Learned counsel for the applicant submits that the applicant surrendered on 13.01.2020.
2. 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. 385/2019 registered at Police Station-Khairagarh, District - Rajnandgaon (C.G.) for the offence punishable under Sections 457, 380, 34 of the IPC.
3. The prosecution story, is that complainant Deepak Vaishnav lodged a report that in the intervening night of 15.10.2019 to 16.10.2019 some unknown person theft 16 mobiles and cash of Rs. 3000/- from his shop, thereafter during investigation the applicant and

other co-accused has been arrested. Based on this, offence has been registered against the present applicant.

4. 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 26.10.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 applicant is in jail since 26.10.2019 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.
8. Accused/applicant is directed to be released on bail on his 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. 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**