

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7849 of 2019**

- Nadeem Qureshi S/o Shri Yushuf Qureshi Aged About 43 Years, R/o Near Dudhneshwar Nath Mandir, Kailabhattha, Islam Nagar, District Gajiyabad, Uttar Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station Pandri, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Rahim Ubwani, Adv.
For Respondent/State	:	Mr. Wasim Miyan, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22/01/2020**

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. 289/2019 registered at Police Station-Pandri, District - Raipur (C.G.) for the offence punishable under Sections 454, 380, 411, 34 of the IPC.
2. The prosecution story, is that on 15.07.2019 at about 12:00 to 13:00 O'clock the supervisor of the complainant called and told her that there was a theft at her house when the complainant came back to her house she saw that the lock of the door was broken and when she entered inside the house she saw that the lock of the Almirah was also broken and the gold necklace and cash amounting Rs. 18,000/- was stolen by some unknown person. After investigation the present applicant was arrested and offence has been registered.
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 23.07.2019, 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 applicant is in jail since 23.07.2019 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. 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**