

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7844 of 2019**

- Dinesh Kudai S/o Anand Kudai Aged About 32 Years, R/o Ward No. 17, Loharpara, Police Station Belpahar, District Jharsuguda, Odisha.

----Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station G.R.P., Raigarh, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Vijay Sahu on behalf of Mr. Ashish Gupta, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23/01/2020**

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. 19/2019 registered at Police Station-G.R.P., Raigarh, District - Raigarh (C.G.) for the offence punishable under Section 379 of the IPC.
2. The prosecution story, is that complainant Dayanand Sahu lodged a report that his mobile of M.I. Company has been stolen. During course of investigation the present applicant was taken into custody and one mobile phone has been recovered from the applicant. Based on this, offence has been registered against the present applicant.
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 15.11.2019, 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 15.11.2019 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. 25,000/- 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**