

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8223 of 2019**

- Radheshyam Chouhan S/o Paharu Chouhan, Aged About 28 Years
Caste Ganda, R/o. Village Tilba, P.S. Chakradhar Nagar, Tahsil And
District Raigarh Chhattisgarh.

---Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Chakradhar Nagar, District Raigarh Chhattisgarh.

---- Respondent

For Applicant. : Mr. Vinod Kumar Tekam, Advocate.
For Respondent/State : Mr. Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04.02.2020**

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 Istagasa No. 18/2019 registered at Police Station - Chakradhar Nagar, District Raigarh (C.G.) for the offence punishable under Section 379 of IPC and Section 41 (1-4) of Cr.P.C.
2. The prosecution story in brief is that, the police of Out Post Jutmil has registered the said offence, investigated the matter and found no valid papers relating to the three number of motorcycles from the possession of applicant. On the basis of said memorandum, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He next submits that applicant is jail since 26.11.2019, and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, 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, and further considering that the applicant is in jail since 26.11.2019 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. 50,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu