

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8372 of 2019**

- Sanjay Singh S/o Ram Gopal Singh Aged About 35 Years R/o. Moti Chowk, Zone-1, B.M.Y. Charoda, Tahsil And District Durg Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through The District Magistrate Durg, District Durg Chhattisgarh.

---- Respondent

For Applicant	:	Shri Shikhar Sharma, Advocate
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****10/02/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.104/2019 (wrongly mentioned as 104/2017 in the order sheet), registered at Police Station - G.R.P. Police, Bhilai, District Durg (C.G.) for the offence punishable under Sections 457, 380/34 IPC.
2. The prosecution story, in brief, is that on 04.10.2019 at about 8.00 AM, when complainant entered her house, she saw the back door of her house was broken and found that LED TV, Fridge, Washing Maching, Double Bed, Gas Cyclinder, other articles, some gold jewelery and cash of Rs.7,000/- have been stolen by unknown person. During investigation, the applicant and other accused persons were taken into custody, their statements were recorded, based on which, stolen articles i.e. LED TV, Fridge, Double Bed and double bed mattress have been seized from the possession of present applicant. Based on this, offence has been registered. The

present applicant has been taken into custody on 05.10.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that FIR has been registered against unknown person and the present applicant has been arrested only on the ground of suspicion. He also submits that the applicant is an electrician and he has responsibility of his wife. He is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by the Court. He also submits that the applicant is in custody since 05.10.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence, quality of evidence and further considering the fact that the applicant is in custody since 05.10.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.1,00,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge