

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8377 of 2019**

- Chain Prakash @ Chainsay, S/o Santlal, Aged About 27 Years, R/o Village Mahgawa (Uparpara), Police Station, Tahsil & District Surajpur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through: Station House Officer, Police of Police Station- Surajpur, District- Surajpur, Chhattisgarh.

---- Respondent

For Applicant

: Mr. Anil Gulati, Adv.

For Respondent/State

: Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.02.2020**

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. 285/2019 registered at Police Station- Surajpur, District- Surajpur, (C.G.) for the offence punishable under Sections 457, 380, 511 of I.P.C.
2. The prosecution story, in brief is that, on 26.08.2019, a report was lodged by Rai Singh alleging that on 22.08.2019, he was performing his duty and in the intervening night, he saw that the applicant tried to steal a mobile and all of a sudden he wake up then the present applicant absconded from there. Thereafter, 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 17 previous record has been registered against the present applicant. The applicant is in jail since 27.08.2019, 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, and further considering the fact that the applicant is in jail since 27.08.2019 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**