

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6 of 2020**

Makhan Singh Markam @ Vikash Raj (Wrongly mentioned as Makhan Singh Gond in Order), Aged about 30 years, S/o- Shri Chandan Singh Gond, R/o- Village – Saopara, Seesh, P.S. - Ratanpur, District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through – P.S. - Ratanpur, District – Bilaspur (C.G.)

----Non-applicant

For Applicant	: Mr. Pawan Shrivastava, Advocate.
For Non-applicant/State	: Mr. Akhtar Hussain, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****11/02/2020**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 410/2019 registered at police Station Ratanpur, District Bilaspur (C.G.) for the offence punishable under Section 436 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 16.10.2019 in the night Sandeep Jaiswal, who is nephew of complainant Bharat Lal Jaiswal, was sleeping in Kirana Shop, and at about 01.30 a.m. informed on mobile to complainant Bharat Lal Jaiswal that the accused/applicant set fire in his godown, upon which complainant went there and saw that some of items and one motorcycle bearing registration No. C.G. 12 A.J. 1727 were burned and as a result of which, the complainant suffered loss of Rs.1,00,000/-.

(3) Learned counsel appearing for the applicant would submit that applicant has been

falsely implicated in the crime in question as there is no evidence available on record to connect the applicant with the crime in question. He further submit that applicant is in detention 21.10.2019; charge sheet has already been filed and the trial is likely to take some time for its final disposal and no custodial interrogation is required and, therefore, the 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 appearing for the parties and perused the case diary with utmost circumspection.

(5) Taking into consideration the facts & circumstances of the case; particularly the facts applicant is in detention since 21.10.2019; charge sheet has already been filed; trial is likely to take some time for its final disposal and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one 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 till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

D/-

