

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 155 of 2021

- Moh. Firoj S/o Moh. Jamil Ahmad Aged About 25 Years R/o Shahjamal Police Station Kithor, District Meerut U. P.

---- Applicant

Versus

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

--Non-Applicant

For Applicant	:	Shri K.K. Pandey, Advocate
For Non-Applicant/State	:	Shri Vaibhav Singh, P.L.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

22/02/2021

1. The applicant has preferred this first bail application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 1.1.2020 in connection with Crime No.462/2019, registered at Police Station- Chakradhar Nagar, District -Raigarh(CG) for the offence punishable under Sections 380, 454, 34 of the IPC.
2. Case of the prosecution is that the complainant has lodged a report that on 29.12.2019 when he had gone on his duty, some unknown persons have committed theft of Rs.60,000/-, 3 Nos. Mobile phones and some other articles from his house. During investigation, on the basis of statements of the witnesses, the applicant was taken into custody.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question and he has not committed any offence. He submits that there is no previous antecedents against the applicant and the report was lodged against unknown persons. He submits that the applicant is in jail since 1.1.2020; charge sheet has been filed and conclusion of

trial is likely to take some time, therefore, the applicant may be released on bail by this Court.

4. On the other hand, learned counsel for the Non-Applicant/State opposes the bail application. However, he submits that there is no criminal antecedents against the applicant.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and further considering the age and detention period of the applicant and there is no criminal antecedent against him as stated by both the counsel; charge sheet has been filed; and conclusion of trial may take some time, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, the application is allowed.
6. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail, on the following conditions:-
7. (a) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
(b) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
(c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
(d) he shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to this Court.

**Sd/
(Gautam Chourdiya)
Judge**