

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 317 of 2021**

- Ramesh Meda, S/o Shri Babu @ Bau Meda, aged about 32 Years, R/o Village- Goddaliya, Thana- Tanda, District Dhar (M.P.).

----Applicant

Versus

- State of Chhattisgarh, Through Police Station Balko Nagar District Korba, Chhattisgarh.

----Non-applicant

For Applicant	Shri Samir Singh, Advocate.
For State	Smt. Seema Dixit, P.L.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****24/02/2021**

1. The applicant has preferred this application under Section 439 of Cr.P.C. as he is in jail since 03.11.2020 in connection with Crime No.491/2020 registered at Police Station Balko Nagar, District Korba, C.G. for the offence punishable under Sections 457, 380, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 03.11.2020, complainant lodged a report alleging in it that when he was not present at home at that time some unknown persons entered his home and committed theft of cash of Rs.3,07,000/- and golden ornaments. During investigation, police arrested the applicant for the alleged commission of offence.

3. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that the seizure that has been made from the applicant does not lead to his connection with the offence committed. The applicant is in jail since 03.11.2020, charge sheet has already been filed and conclusion of trial is likely to take some time. Therefore, the applicant be released on bail.

4. Heard learned counsel for the parties.

5. Considering the facts and circumstances of the case, the detention period of the applicant, the applicant is a first offender, charge sheet has already been filed, the fact that the applicant has no criminal antecedent and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and conclusion of trial may take some time, without expressing any opinion on the merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, the application is allowed. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

- (i) 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,
- (ii) he shall not act in any manner which will be prejudicial to

fair and expeditious trial, and

- (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) he shall not involve himself in any offence of similar nature in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh