

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 523 of 2021**

- Santosh Sahu, S/o Late Rajkumar Sahu, Aged About 20 Years, R/o Atal Awas, Bahtarai Chowk, Police Station Sarkanda, Tahsil & District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through Station House Officer, Police Station Ratanpur, District Bilaspur, Chhattisgarh.

---- Non-applicant

For Applicant	:	Shri Vipin Singh, Advocate.
For State	:	Shri Dinesh Tiwari, Dy. Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****23/03/2021**

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of bail as he has been arrested in connection with Crime No/Ishtagasa No.07/2020 registered at Police Station Ratanpur, District Bilaspur, C.G. for the offence punishable under Section 379 of the Indian Penal Code, 1860 and Section 41 (1-4) of Code of Criminal Procedure, 1973.
2. Case of the prosecution, in brief, is that on 01.12.2020, one motor cycle of Hero Company bearing Registration No.CG 10 LC 3231 was seized from the applicant and no document as to the ownership of the said vehicle could be produced by the applicant. As number of cases of theft were registered against the applicant, offence under Ishtgasa No.07/2020 under the aforesaid section was registered against the

applicant.

3. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. The applicant who is 20 years old is in jail since 01.12.2020, charge sheet has already been filed and the conclusion of trial is likely to take some time, therefore, the applicant be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application and submits that there are number of cases of theft registered against the applicant.
5. Heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the detention period of the applicant who is 20 years old, the fact that there is no apprehension of his absconding or tampering with the evidence as admitted by both the counsel and conclusion of the trial is likely to take some time due to Covid-19 pandemic, without commenting anything on 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 in the event of applicant executing a personal bond for a sum of Rs.1,00,000/- with two surety for the like sum amount of Rs.50,000/- 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

Deepti Jha