

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through Video Conferencing****Misc. Criminal Case No. 1164 of 2021**

- Ramkumar Son of Jairam Kashyap, aged about 26 years, R/o. Village Tekar, PS Seepat, Distt. Bilaspur (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Lines, Bilaspur Distt. Bilaspur (CG)

----Non-applicant

 For Applicant : Shri Susobhit Singh, Advocate
 For respondent/State : Smt. Hameeda Siddiqui, Dy. Adv.
 General

Hon'ble Shri Justice NK Chandravanshi**Order On Board****12-5-2021**

1. This is first bail application filed under Section 439 of the Criminal Procedure Code for grant of regular bail to the applicant, who has been arrested on 13-1-2021 in connection with Crime No. 1/2021 registered at Police Station Civil Lines, Distt. Bilaspur (C.G.), for the offence punishable under Sections 41(1-4) and 379/34 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that, on 12-1-2021 police of PS Civil Lines after receiving information from the informant, that one person is in search of customer for selling motorcycle, arrested one Suraj Kashyap. On his memorandum he stated that he along with his friends is selling motorcycles stolen from different places of Bilaspur since 2017. One motorcycle bearing Engine No. HA10-EA8HL21122 was seized from him. He has informed the police about the applicant. Thereafter offence was registered against applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated. The motorcycle has been seized from one Suraj Kashyap. The applicant is not involved in the crime. He is in jail since 13-1-2021. There are no criminal antecedent against the applicant. Therefore, he may be released on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.

5. Looking to the facts and circumstances of the case, nature and gravity of offence, period of detention and also considering the fact that the trial will take some more time for its conclusion, there is no criminal antecedent of the applicant, without further commenting on merits of the case, I am inclined to release the applicant on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial court regularly on each and every date as per direction of the court, unless exempted from appearance.

7. In view of above, I.A. No. 1/2021 for urgent hearing and I.A. No. 2/2021 for hearing during summer vacation stand disposed of.

Certified copy as per rules.

Sd/-
(NK Chandravanshi)
VACATION JUDGE