

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2010 of 2021

Deepak Yadav S/o Samaylal Yadav, aged about 20 years, Occupation Labour
R/o Village Chhuhipali, O.P. Jutemil, P.S. City Kotwali, District Raigarh (C.G.).

---- Applicant

Versus

State of Chhattisgarh Through the Station House Officer, O.P. Jutemil, P.S. City
Kotwali, District Raigarh (C.G.).

---- Respondent

For Applicant	:	Mr. M.K. Jaiswal, Advocate
For Respondent	:	Mr. Amit Singh, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

05/04/2021

1. The applicant has preferred first bail application under Section 439 of the Cr.P.C for grant of regular bail as he is in jail since 25/02/2021 in connection with Istgasa No. 09/2021 registered at Police Station- O.P. Jutmil, P.S. City Kotwali, District Raigarh (C.G.) for the offence punishable under Sections 41 (I) (iv) of the Cr.P.C, read with Section 379 of the IPC.
2. As per the prosecution story the appellant had theft one motor cycle bearing registration No. CG13 B 6477 and on 25/02/2021 during vehicle checking, he was caught by the police in suspicious condition. The vehicle was seized and thereafter the offence has been registered against the applicant.
3. Learned counsel appearing on behalf of the applicant submits the applicant is an innocent person and has been falsely implicated in the present case. He further submits that the applicant is in jail since 25/02/2021 and conclusion of trail is likely to take some time. Therefore, he prays that the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the facts and circumstances of the case, particularly considering that the applicant is in jail 25/02/2021, he has no criminal antecedent, trial is likely to take some time and there is no apprehension of the applicant tampering with the evidence or absconding, without expressing any opinion on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of applicant executing a personal bond for a sum of Rs. 50,000/- with two sureties of Rs. 25,000/- each to the satisfaction of the concerned trial Court, he shall be released 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;
 - 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; and
 - iv. 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 canceled without further reference to the bench.

Sd/-
(Gautam Chourdiya)
Judge