

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2489 of 2021**

- Bittu Kumar(Wrongly Mentioned As Vittu In Order Copy) S/o Shri Vinod Aged About 19 Years R/o Maharani Ward, Tahsil Jagdalpur, District-Jagdalpur-Bastar(C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station - Kotwali, District-Jagdalpur-Bastar(C.G.)

---- Respondent

For Applicant : Shri Ishan Verma, Advocate

For Respondents/State : Shri Pawan Kesharwani, PL

Hon'ble Shri Justice Goutam Bhaduri**Order****22/07/2021**

1. Heard.
2. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 21.01.2020 in connection with Crime No.47/2020 (wrongly mentioned as 47/2021 in bail rejection order) registered at Police Station Kotwali, District Jagdalpur, Bastar (CG) for the offence punishable under Section 379 of Indian Penal Code 1860.
3. As per the prosecution case, the applicant committed theft of a bag which was

containing a rifle magazine and certain household goods including ATM and cash from one Constable Arvind Netam. Thereby the offence has been committed.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated and he is in jail since 21.01.2020 and the charge-sheet in this case has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the nature of allegation and the fact that the applicant is in jail since 21.01.2020 and the charge-sheet in this case has been filed, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu