

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

(Proceedings through Video Conferencing)

MCRC No. 2601 of 2021

- Monu Manikpuri, S/o Janik Das Manikpuri, Aged About 24 Years, R/o Shankarpur, Rajnandgaon, District : Rajnandgaon, Chhattisgarh. **---- Applicant**

Versus

- State of Chhattisgarh, Through: P.S. - Khairagarh, District- Rajnandgaon, District : Rajnandgaon, Chhattisgarh.

---- Non-Applicant

For Applicant	:	Shri Rakesh Kumar Thakur, Advocate
For Non-Applicant/State	:	Shri Vimlesh Bajpai, G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

08.04.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested on 25.12.2020 in connection with Crime No. 411/2020, at Police Station- Khairagarh, District- Rajnandgaon (C.G.), for the offence punishable under Section 379 of I.P.C.
2. The allegation against the applicant is that he alongwith other co-accused persons committed theft of one motorcycle- Pulser made Bajaj, dismantled it and hid the same behind the Revadih liquor shop. During investigation the applicant was arrested and on his memorandum the parts of the motorcycle were seized and other accused persons were also arrested.
3. Learned counsel for the applicant submits that the allegations against the applicant are false and fabricated, he submits that

the charge-sheet has already been filed, he is young offender, he is in jail since 25.12.2020 applicant/accused has only two criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding, conclusion of the trial is likely to take some time, therefore, at this stage, he may be granted bail.

4. On the other hand, learned counsel for the Non-Applicant/State opposes prayer for grant of bail and submits that the applicant has two criminal antecedents under Section 379 of IPC and 41 (1) (4) of Cr.PC in the year 2020 and 379 of IPC in the year 2020.
5. Having considered the submission made by learned counsel for the parties, taking into consideration the offence under Section 379, 201 of IPC, detention period of the applicant, who is 24 years old, charge-sheet has already been filed, there is no likelihood of the applicant tampering with the prosecution evidence or absconding as admitted by both the counsel, conclusion of trial may take some time, without commenting anything on merits of the case, the application is allowed.
6. It is directed that in the event of the applicant executing a personal bond for a sum of Rs. 1,00,000/- with two sureties of Rs. 50,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on following conditions:-
 - (a) 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.
 - (b) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - (d) 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 cancelled without further reference to the Bench.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

Sd/-

(Gautam Chourdiya)
Judge

Nadim