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HIGH COURT OF CHHATTISGARH, BILASPUR**Order Sheet****Proceedings through Video Conferencing****M.Cr.C. No. 3221 of 2021**

Ankush Gupta @ Priyanshu, S/o Shri Shiv Kumar Gupta, aged about 20 years, R/o Behind Jain Kirana Store, Kukurbeda, P.S. Saraswati Nagar, District Raipur (CG). **---Applicant**

Versus

State of Chhattisgarh, through Police Station City Kotwali, District Raipur (CG). **---Non-applicant**

For Applicant : Mr. Pragalbha Sharma, Advocate
 For Non-applicant/State : Mr. Vimlesh Bajpai, Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****02.06.2021**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 06.02.2021 in connection with Crime No.06/2021 registered at Police Station City Kotwali, Raipur, District Raipur (C.G.), for the offence punishable under Sections 379, 34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that on 05.01.2021 complainant Surdendra Kumar informed the police of Police Station City Kotwali that his bike (Honda Activa) bearing registration No.C.G./04/MJ/4887 was stolen by someone. Thereafter, the police found the said bike in the possession of the present applicant.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the crime in question. He further submits that charge sheet has been filed and

there is no chance of his absconding, therefore, the applicant 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 and as per submission of counsel for the applicant charge sheet has been filed and there is no chance of absconding 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 on the condition that on each and every date he shall appear before the concerned trial Court as per direction of the court, unless exempted from appearance.

7. In view of the above, I.A. No.01/2021 for seeking exemption from filing affidavit stands disposed of.

Certified copy as per rules.

Sd/-

(N.K. Chandravanshi)
VACATION JUDGE

L/-