

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3343 of 2021**

Raju Kumar Singh, S/o Late Rampujan Singh, aged about 30 years, R/o Kanchanpur, P.S.- Sasaram, Dist.- Rohta (Bihar)

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station – Balrampur, Distt – Balrampur – Ramnuganj (C.G.)

----Respondent

For Applicant	:	Mr. Sanjay Agrawal, Advocate.
For Respondent	:	Mr. Dinesh Tiwari, Dy. Govt. Advocate.

Hon'ble Mr. Justice N.K. Chandravanshi**Order On Board****27-10-2021**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail in connection with Crime No. 203/2020 registered at Police Station Balrampur, District Balrampur- Ramanuganj (C.G.) for the offence punishable under Sections 379, 420, 411, 201 read with Section 34 of IPC.

(2) Case of the prosecution, in brief, is that applicant with co-accused persons theft two scorio vehicles in the night of 29.11.2020. They sold one scorio vehicle to another person and applicant was using scorio of the complainant, by changing its number plate. Based upon which, report was lodged by Complainant. After usual investigation, police filed charge-sheet against the applicant and other co-accused persons under Sections 379, 420, 411, 201 read with Section 34 of IPC before the trial Court, which is pending before the trial Court.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the crime in question as he has not committed the alleged crime. He would next submit that the applicant has been made accused in the instant case merely on the basis of memorandum

statement of co-accused persons; charge-sheet has already been filed; the applicant is in detention since 06.02.2021 and conclusion of the trial will take long time, therefore, the applicant may be released on regular bail.

(4) On the other hand, counsel for the State opposes the bail application mentioning that applicant is resident of Bihar. Applicant along with other co-accused persons had made a gang for theft the vehicles and if the bail is granted to the applicant, then he will abscond, therefore, the bail application filed by the applicant is liable to be rejected.

(5) I have heard learned counsel appearing for the parties and perused the material available on record.

(6) Considering the facts & circumstances of the case, particularly the fact that the applicant is languishing in jail since 6.2.2021 and the charge-sheet has already been filed, I am of the view that it is a fit case for grant of bail to the applicant.

(7) Accordingly, the bail application filed by the applicant under Section 439 of the Cr.P.C. is allowed. Accused/applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with two local sureties 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 to him by the said Court.

Sd/-

(N.K.Chandravanshi)
Judge

D/-

