

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5922 of 2021

Kunal Meshram S/o Sanjay Meshram, aged about 19 years R/o Ganga Nagar, near T. and S. Centre, P.S. Khamtarai, Raipur, District and Tahsil Raipur (CG.).

---- Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, Police Station Khamtarai, Raipur, District Raipur (CG.).

---- Non-Applicant

For Applicant	:	Mr. C.R. Sahu, Advocate.
For Non-Applicant/State	:	Mr. Shreshta Gupta, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

06/09/2021

- 1) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 02/07/2021 in connection with Crime No. 369/2021 registered at Police Station Khamtarai, District Raipur (C.G.) for the offence punishable under Section 379, 34 of the IPC.
- 2) As per the prosecution story, on 24/06/2021 Complainant Suraj Das made a complaint alleging therein that his Aactiva Vehicle 3G bearing registration No. CG 04/H.Y.-7124 has been stolen by someone, which was standing in front of his house. Later on, the said vehicle was recovered from the possession of the co-accused. The police has registered the case against the applicant and he was taken into custody on 02/07/2021.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that no seizure has been made from the possession of the applicant. The applicant is in jail since 02/07/2021 and trial is likely to take some time for its disposal. Therefore, the applicant be

released on bail by this Court.

- 4) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 5) I have heard learned counsel for the parties.
- 6) Taking into consideration that no seizure has been made from the possession of this applicant, charge-sheet has been filed and looking to the age of the applicant who is only 19 years old and the fact that there is no apprehension of the applicant tampering with the evidence or absconding and that conclusion of trial may take some time, without commenting on merit of the case, I am inclined to release the applicant on bail.
- 7) Accordingly, the application is **allowed**.
- 8) 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 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, and
 - 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.
 - iv. he shall not involve himself in any offence of similar nature in future.
- 9) 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