

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6378 of 2021**

- Basant Kindo S/o Shriram Kindo Aged About 28 Years Caste-Uraon, R/o Village Durgapara, Police Station Bagicha, District-Jashpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer Of Police Station-Bagicha, District- Jashpur, Chhattisgarh.

---- Respondent

 For Applicant : Shri Sanjeev Kumar Sahu, Advocate
 For respondent/State : Shri Anil Tripathi, Panel Lawyer

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****23.11.2021.**

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 22.3.2021 in connection with Crime No.06/2021 registered at Police Station Bagicha, Distt. Jashpur (C.G.), for the offence punishable under Sections 379, 457 & 380 of the Indian Penal Code, 1860 (for short 'IPC').

2. Brief facts of the case are that the applicant and other co-accused persons have stolen motor cycle Splendor bearing registration No.CG 15 DH 8951 from the house of the complainant. Based on the above fact, present crime was registered against unknown persons. During investigation, based on the memorandum of the accused persons, stolen motor cycle was seized from the house of present applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case, he is in jail since 22.3.2021, charge sheet has been filed, offences are triable by Judicial Magistrate First Class, the applicant is permanent resident of Distt. Jashpur and considering the above facts, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State while opposing the bail application submits that the applicant is an habitual offender and earlier three other cases have been registered against present applicant, hence, he may not be granted bail.

5. I have heard learned counsel for the parties, perused the case diary and the material available on record.

6. Considering the facts and circumstances of the case, nature and gravity of offence, detention period of the applicant and also taking into consideration that charge sheet has been filed and the applicant is said to be the permanent resident of Distt. Jashpur, I feel inclined to allow the bail application. Therefore, the application under Section 439 of the CrPC is allowed. The accused applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with two 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.

Certified copy as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE