

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6270 of 2021**

- Jaychand S/o. Bhindari Ram Aged About 35 Years (Age Wrongly Mentioned As 38 In The Impugned Bail Rejection Order), R/o Jujagu, Police Station And Tahsil - Bagicha, District Jashpur, Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For Applicant	: Shri Ajay Mishra, Advocate on behalf of Shri JP Shukla, 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 04.4.2021 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 accuse persons, stolen motor cycle was seized from the house of co-accused Basant Kindo.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case, no seizure has been made from present applicant, he is in jail since 04.4.2021, 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 two other cases have already 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, considering the fact that no seizure has been made from 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. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned for his appearance before the concerned Court as and when directed by the said Court, he be released on bail.

Certified copy as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE