

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7135 of 2021**

- Pritesh Shrimandey S/o Prem Kumar Shrimandey Aged About 21 Years R/o Mandhar, Gidhour, Dharsiwa, Police Station Khamtarai, Raipur, District Raipur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Khamtarai, District Raipur Chhattisgarh

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent	:	Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.10.2021**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 489/2021 registered at Police Station -Khamtarai, District- Raipur (C.G.) for the offence punishable under Sections 457 & 380/34 of the IPC.
- As per the prosecution case the allegation against the present applicant is that he along with co-accused person has stolen incense stick machine as well as raw material from the go-down of the complainant. Based on that, during investigation, applicant has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submitted that the applicant has been arrested only

on the basis of suspicion. As the applicant is in jail since 11.08.2021, and he is ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon him by the Court, he may be released on bail.

- Per contra, learned State counsel opposes the bail application.
- I have heard counsel for the parties and perused the case diary.
- Considering the totality of the facts and circumstances of the case, nature of allegation, I am of the opinion that present is a fit case to release the applicant on bail.
- Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
- It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 50,000/- with one local surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.

**Sd/-
(Rajani Dubey)
Judge**

V/-