

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7197 of 2021**

- N. Krishna Raju, S/o N. Rajaiya Reddy, Aged About 38 Years, R/o Room No. 18, Block - 4, Street No. 3, Sector - 5, Bhilai, Tehsil & District Durg Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through P.S.- City Kotwali, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Akash Kumar Kundu, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.10.2021**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 562/2019 registered at Police Station- City Kotwali, District Rajnandgaon (C.G.) for the offence punishable under Section 379 of IPC.
2. As per the case of the prosecution, the applicant has stolen a cash amounting to Rs. 6 lacs from the SBI bank, Rajnandgaon and he has been arrested on the basis of memorandum given in another case.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant has been arrested only on the basis of memorandum taken in another case and there has been no incriminating material brought against the applicant. He further submits that the applicant is in jail since 22.03.2021, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on

bail.

4. On the other hand, counsel for the State opposes the bail application and submits that applicant has committed theft amounting to Rs. 6 lacs out of which Rs. 2,50,000/- has been recovered from the possession of the applicant and he is a habitual offender, therefore, no case is made out for grant of bail to the applicant.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that applicant is in jail since 22.03.2021, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/-, with one local surety 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/-
(Rajani Dubey)
Judge**

R/-