

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7137 of 2021**

- Hemraj @ Sunny Nimje S/o Shri Daulat Ram Nimje Aged About 25 Years R/o Shantinagar, Ward No.- 6, Thana Police Chowki Chikhli, Tahsil And District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Tehlkadih District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Abhishek Sharma, Advocate.
For Respondent	:	Mr. Sameer Sharma, Dy. G.A.

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. 13/2021 registered at Police Station -Thelkadih, District Rajanandgaon (C.G.) for the offence punishable under Sections 379/34 of the IPC.
- As per the prosecution case, complainant Shiv Kumar lodged a report stating therein that someone has stolen his iron rods amount to Rs. 23,418/- from the construction site. 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 is in jail since 07.07.2021. As the case is triable by Judicial Magistrate First

Class and he is ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon him by the Court, therefore, 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/-