

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7220 of 2021**

- Hemant Bharti, S/o Shivram Bharti, Aged About 18 Years, R/o Ward No. 20, Khamariya, Khairagarh, District Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer Khairagarh, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Siddharth Pandey, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.10.2021**

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. 286/2021 registered at Police Station- Khairagarh, District Rajnandgaon (C.G.) for the offence punishable under Sections 457, 380 of IPC.
2. As per the case of the prosecution, it has been alleged that some unknown persons committed theft of cutter machine worth Rs.3,000/- and one cello tape worth Rs. 100/- and some other articles belonging to mason work. Thereafter, offence has been registered against the applicant and he has been taken into custody.
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 no antecedent has been registered against the applicant. He further submits that the applicant is in jail since 29.08.2021, 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.
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 29.08.2021, 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/-