

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7927 of 2021**

Deepak Dehari, aged about 28 years S/o Late Mangal Prasad Dehari R/o Rajapara Kanker Tahsil and Distt. Utter Baster Kanker (C.G.).

----Applicant

Versus

State Of Chhattisgarh Through District Magistrate Distt. U.B. Kanker (C.G.)

---- Respondent

For Applicant	:	Mr. Shalvik Tiwari, Advocate
For Respondent	:	Ms. Seema Dixit, PL

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

27/10/2021

Heard.

1. The applicant has preferred this first Bail Application under Section 439 of Code of Criminal Procedure, 1973 in connection with Crime No. 217/2021 registered at Police Station- Kanker, Distt. U.B. Kanker (C.G.) for the offence punishable under Sections 454 and 380 of the IPC.
2. Case of the prosecution in brief is that the applicant had entered into the house of the complainant and had stolen iron articles and old submersible pump. Hence, the offence has been registered against the applicant and he has been arrested on 28/08/2021.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant is in jail since 28/08/2021 and trial is likely to take time, therefore, he prays to release the

applicant on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, particularly the fact that the offence is triable by the JMFC, the applicant is in jail since 28/08/2021 and conclusion of trial is likely to take some time, I am of the view that it is a fit case to enlarge the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs. 10,000/- with one surety of the like sum amount to the satisfaction of the trial Court on following conditions:-
 - a) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;
 - b) he shall not act in any manner which will be prejudicial to fair and expeditious trial;
 - c) he shall appear before the trial Court on each and every date given to him by the said Court till the disposal of the trial;
 - d) he shall not involve himself in any offence of similar nature in future;
 - e) while furnishing the bail bonds, the applicant and the person who stand surety shall submit their Aadhar Cards and full-sized colored postcard size photographs mentioning their Aadhar numbers on the same before the trial Court.

Sd/-
(Deepak Kumar Tiwari)
Judge