

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.7884 of 2021

Chhotu Yadaw S/o Shri Manharan Yadaw Aged About 27 Years R/o Muktidham
Chowk Sarkanda, Bilaspur Police Station-Sarkanda Tahsil And Distict-Bilaspur
Chhattisgarh ----- **Applicant**

Versus

State Of Chhattisgarh Through Police Station -Sakri, District-Bilaspur
Chhattisgarh ----- **Non-Applicant**

For Applicant: Shri Sumit Jhanwar, Advocate.
For Non-Applicant/State : Shri Vaibhav Kartik Agrawal, Panel Lawyer.

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

26.10.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the Applicant, who has been arrested in connection with Crime No.379/2021 registered at Police Station – Sakri, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 457 and 380 IPC.
2. Prosecution case in brief is that on 19.08.2021, the present Applicant entered the shop of the Complainant and stolen Rs.2000/- and was identified in the CC TV footage also.
3. Learned counsel for the Applicant submits that the Applicant, aged 27 years is innocent and has been falsely implicated in the crime in question and is languishing in jail since 31.08.2021. He further submits that no offence under Sections 457 and 380 IPC has been made out against him and therefore, he may be released on bail.

4. Per contra, learned Counsel for the State opposed the bail application.

5. Considering the facts and circumstances of the case, looking to the period of detention, the offence is triable by the Judicial Magistrate, First Class and that the trial of the case is likely to take sometime for its conclusion, I am inclined to grant regular bail to the Applicant.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed. In case any default is committed by the Applicant in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Deepak Kumar Tiwari)
Judge

Priya