

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7898 of 2021**

Lalit Singh Markam, aged about 24 years S/o of Shri Dhaniram, Caste Gond, R/o Village Khairi, Police Station Patna, District Koriya (C.G.).

---- Applicant

Versus

State of Chhattisgarh through: the Station House Officer, Police of Police Chowki Morga, Police Station Bango, District Korba (C.G.).

---- Respondent

For Applicant : Mr. Basant Kaiwartya Advocate
For Respondent : Mr. Akash Pandey, PL

Hon'ble Shri Justice Deepak Kumar Tiwari**Order on Board****26/10/2021**

1. The applicant has preferred this first Bail Application under Section 439 of Code of Criminal Procedure, 1973 in connection with Crime No. 83/2021 registered at Police Chowki Morga, police Station Bango, District Korba (C.G.) for the offence punishable under Sections 457 and 380/34 of the IPC.
2. Case of the prosecution in brief is that on 10/05/2021 Complainant Jagdish Prashad Yadav (henceforth 'the Complainant') lodged an oral complainant at Police Chowki, Morga alleging therein that the applicant along with 6 other persons broken the lock of his house and stolen gold and silver ornaments, Rs. 50,000/- cash and other house hold articles. The villagers have caught one of the accused person and that person disclosed the name of the present applicant and his involvement. The police has recovered iron rod and tangi from the possession of the above accused person.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant is in jail since 11/05/2021, charge-sheet has been filed 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 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 11/05/2021 and conclusion of trial is likely to take some time, I am of the view that it is 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. 20,000/- with two sureties each of Rs. 10,000/- 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 furnish a copy of his Aadhar Card and recent colored passport size photo before the trial Court; and
 - (e) he shall not involve himself in any offence of similar nature in future.

Sd/-
(Deepak Kumar Tiwari)
Judge