

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.8018 of 2021

Shri Tarun Kumar Yadav S/o Ramesh Kumar Yadav Aged About 22 Years R/o
Ward No. 11, Charama, District- Uttar Baster Kanker (C.G.), Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- District Magistrate District- U. B. Kanker (C.G.),
Chhatti

---- Non-Applicant

For Applicant: Shri Parag Kotecha, Advocate.
For Non-Applicant/State : Shri DC Verma, GA.

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

28.10.2021

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.01/2021 registered at Police Station – Charama, District – UB Kanker, Chhattisgarh for the offence punishable under Section 379 IPC and under Section 41(1+4) Cr.P.C
2. Prosecution case in brief is that on on 09.07.2021 during checking at Toll Plaza of NH 30, the present Applicant and the co-accused were found to have stolen the motorcycle they are riding and it was further found that they were involved in many more theft cases, therefore, the offence under the aforesaid Sections has been registered against him.
3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the crime in question and is in custody since 09.07.2021 and therefore, he may also be released on bail.

4. Per contra, learned Counsel for the State opposed the bail application. He submits that there are two crimes registered against the present Applicant in two different police stations and therefore, he is not entitled to be released on bail.

5. Considering the facts and circumstances of the case, looking to the period of detention, nature of evidence, the offence is triable by the JMFC and the trial is likely to take some time 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 two sureties 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