

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8834 of 2020**

- Gajendra Devdas, S/o Shri Melaram Devdas, aged about 22 years, R/o- Village- Kamdehi, Samoda, Tahsil- Arang, Police Station- Arang, District- Raipur (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh Through: the Station House Officer, Police Station- D. D. Nagar, District- Raipur (C.G.).

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate
For Respondent/State	: Shri Vimlesh Vajpai, G. A.

Hon'ble Justice Shri Gautam Chourdiya**Order on Board****06/01/2021**

- 1) Heard
- 2) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 19.03.2020 in connection with Crime No. 122/2020 registered at Police Station D. D. Nagar, District- Raipur (C.G.) for the offence punishable under Sections 457, 380/34 of Indian Penal Code.
- 3) The allegation against the present applicant is that the present applicant alongwith other accused persons committed theft in the house of the complainant namely- Smt. Richa shukla and stole the ornaments and cash of Rs. 15,000/- and other articles. On the basis of suspicion, the present applicant was arrested.
- 4) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He also

submits that the police has registered the offence against the unknown person but arrested the present applicant only on the basis of suspicion, whereas there is no any offence committed by him. It is also submitted that the charge sheet has been filed and the applicant is in jail since 19.03.2020. He further submits that trial is likely to take some time for its final disposal. Therefore, the applicant be released on bail by this Court.

- 5) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 6) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, charge-sheet has been filed, the fact that the present applicant is jail since 19.03.2020 and trial is likely to take some time for its final disposal, the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs. 50,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on the following conditions :-

- (i) 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,
- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) He shall not involve himself in any offence of similar nature in future.

Certified copy as per rules

Sd/-

**(Gautam Chourdiya)
Judge**