

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8627 of 2021**

- Tarandas son of Chaituram Patre, aged about 45 years, resident of Sonpuri, Police Station- Pandaria, District- Kabirdham (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh Through : Station House Officer, Police Station- Pandaria, District- Kabirdham (C.G.).

---- Non Applicant

For Applicant : Mr. Jitendra Shrivastava, Advocate

For Non Applicant/State : Mr. Aditiya Sharma, P. L.

Hon'ble Shri Justice Narendra Kumar Vyas**Order On Board****16.12.2021**

1. Heard
2. The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 17.09.2021 in connection with Crime No. 310/2021 registered at Police Station- Pandaria, District- Kabirdham (C.G.) for the offence punishable under Sections 457, 380 of Indian Penal Code.
3. The prosecution story, in brief, is that on 16.05.2021, the applicant entered into the house of one person namely- Anjor Das Tandon and stolen Rs. 550/-, two Kudali and one Tangiya (axe) and on the same day, he has also stolen 10 liters oil and 2.50 kg pigeon pea (Rahar Dal) from the house of Bodhan Patre and one cooler from the house of Saraswati Patre. The matter has been reported to the Police Station on the basis of which The FIR bearing Crime No. 310/2021 has been registered for the offence punishable under Sections 457, 380 of IPC at the Police Station Pandaria, District- Kabirdham Chhattisgarh. The applicant has been arrested on 17.09.2021.
4. Learned counsel for the applicant would submit that the present applicant has been falsely implicated in the present case. The applicant is the sole bread earning member of his family and his pre-trial long detention will adversely affect his family members' livelihood. He would further submit

that the applicant is in jail since 17.09.2021, charge-sheet has already been filed and the alleged offence is triable by the Magistrate, therefore, he may be released on bail.

5. On the other hand, learned counsel for the respondent/State opposes the bail application of the present applicant.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, charge-sheet has already been filed, the fact that the applicant is in jail since 17.09.2021 i.e. two month 29 days, and trial is likely to take some time for its final disposal, without commenting upon merits of the case the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs. 25,000/- 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/-

(Narendra Kumar Vyas)
Judge

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