

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8688 of 2021**

- Bhavesh Kumar Kashyap S/o Shri Narendra Kumar Kashyap Aged About 25 Years R/o Village Aamgaon, Thana-Sihawa, Tahsil Nagari, District Dhamtari Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Narharpur, Police Station Outpost Halba, District North Baster Kanker Chhattisgarh

---- Respondent

For Applicant	:-	Mr. Sunil Sahu, Advocate
For Respondent-State	:-	Mr. Afroj Khan, PL

Hon'ble Shri Justice Deepak Kumar Tiwari
Order On Board**16/12/2021**

1. The applicant has preferred this bail application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.109/2021 registered in Police Station Narharpur, Police Outpost – Halba, Distt. North Baster Kanker C.G. for the offence punishable under Sections 457, 380 of the I.P.C.
2. Case of the prosecution, in brief, is that, complainant Ravi Kumar Sahu has lodged the report that some unknown person has stolen his motor cycle which was parked in his house. Later on, the motor cycle was seized during investigation from the present applicant.
3. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated. He would further submit that the applicant was arrested on 01.10.2021 as also the offence is triable by JMFC, therefore, he may be enlarged on bail.

4. *Per contra*, learned State counsel would oppose the prayer for grant of bail.
5. Considering the fact and circumstances of the case, as also the offence is triable by JMFC; period of detention and also for the fact that conclusion of trial may take some time, this Court is inclined to release the applicant on bail. Accordingly, the application is allowed.
6. It is directed that in the event of the applicant's executing a personal bond for a sum of Rs. 20,000/- with two sureties for the like amount to the satisfaction of the trial Court, he shall be released on bail on the following conditions:-
 - (a) he shall not directly or indirectly make any inducement, threat or promise to any persons 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, and
 - (c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - (d) the applicant and the sureties shall submit a copy of their adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.
 - (e) he shall not involve himself in any offence of similar nature in future.

SD/-

(Deepak Kumar Tiwari)
Judge