

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.9151 of 2021

Rahul Sardar S/o Anand Sardar Aged About 21 Years R/o Chhatabeda, Police Station And Tehsil Raigarh, District- Navrangpur, Odisha

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Shri Amit Kumar Sahu, Advocate
For Respondent – State	:	Shri Wasim Miyan, PL for the State

Hon'ble Shri Justice Deepak Kumar Tiwari

Order On Board

17.12.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.03/2021, registered at Police Station Narharpur, District – North Baster, Kanker (CG) for the offence punishable under Sections 379, 411 and 34 of the IPC.
2. As per the prosecution case, the applicant and the other co-accused has stolen motorcycle of the complainant and sold it to someone, on the basis of which case has been registered against the applicant and other co-accused person.
3. Learned counsel for the applicant submits that the applicant is innocent and he is falsely implicated in the present case. He further submits that the applicant is not having any criminal antecedent, he is in jail since 01.10.2021 and trial is likely to take some time, therefore, he may be

enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, particularly considering the detention period, age of the applicant and further that there is no likelihood of the applicant tampering with the prosecution evidence or absconding, the offence is triable by JMFC and conclusion of trial may take some time, 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.25,000/- with two sureties in the like sum to the satisfaction of the concerned 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 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, 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) he shall not involve himself in any offence of similar nature in future.

Sd/-

(Deepak Kumar Tiwari)
Judge