

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC No. 9533 of 2021**

- Baldev S/o Ghanshyam Sahu Aged About 20 Years R/o Village Khairbanakala, P.S. Kawardha, District Kabirdham, Chhattisgarh.

---- Applicant

**Versus**

- State of Chhattisgarh Through Station House Officer Kawardha, District Kabirdham Chhattisgarh.

---- Non-Applicant

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For the Applicant : Shri Rakesh Pandey, Advocate

For Non Applicant : Shri Adil Minhaj, G. A.

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**Hon'ble Shri Justice Narendra Kumar Vyas**

**Order On Board**

**20.12.2021**

1. The applicant has preferred the first bail application under Section 439 of CrPC for grant of regular bail as he is in jail since 14.11.2021 in connection with Crime No.888/2021 registered at Police Station- Kawardha, District- Kabirdham (C.G.) for the offence punishable under Section 379 of IPC.
2. The case of prosecution in brief, is that, the complainant namely Dhaniram Sahu has lodged a written complaint contending that on 11.11.2021 at between 12-2:30 pm some unknown person stole his motorcycle bearing registration No.C.G. 09 JB 5014 from front side of Sarodha Bandh. On such complaint, the Police has registered offence under Section 379 of IPC. The FIR was lodged against some unknown person and after investigation the present applicant was arrested on 14.11.2021.
3. Learned counsel for the applicant would submit that applicant is a young boy of 21 years and he is sole bread earning member of his family, therefore, his detention for long would make the life of his family difficult. Merely, on the basis of suspicion present applicant has falsely been implicated in case by police, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application and he would further submit that, the vehicle bearing registration No.C.G. 09 JB 5014 has been seized, therefore, involvement in the offence can not be denied at this juncture and he is not entitled to enlarge on bail. Learned State counsel would further submit that there was no mention of the previous record in the diary and applicant is in jail since 14.11.2021, trial may take some time even final report has not been submitted till today.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, and the fact that applicant is in jail since 14.11.2021, and considering the fact that trial may take some time, therefore, I am inclined to enlarge the applicant on bail.
7. Accordingly, the bail application filed by applicant is allowed and it is directed that applicant shall be released on bail on furnishing a personal bond in the sum of Rs.50,000/- with two solvent sureties of Rs.25,000/-each for the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the said trial Court, till disposal of the trial.
8. It is made clear that applicant will not involve himself in any offence of similar nature in future, otherwise bail granted to him shall be liable to be cancelled without further reference to the bench.
9. Certified copy as per rules.

**Sd/-**

**(Narendra Kumar Vyas)**  
Judge