

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9786 of 2021**

- Ajay Soni S/o Shiv Prasad Soni Aged About 22 Years R/o Gangapur, Nalapara, Ambikapur, Distt. Surguja (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through - Station House Officer, Police Station - City Kotwali. Ambikapur, Distt. Surguja (C.G.)

---- Non-applicant

For Applicant	:	Mr. Amarnath Pandey, Advocate
For Non-applicant	:	Ms. Reena Singh, PL

Single Bench : Hon'ble Shri Deepak Kumar Tiwari, J**Order On Board****21/12/2021**

1. Heard.
2. The applicant has preferred this first Bail Application under Section 439 of the Code of Criminal Procedure, 1973 in connection with Crime No. 10/2021 registered at Police Station – City Kotwali, Ambikapur, District-Surguja (C.G.) for the offence punishable under Section 41 (क) (घ) of IPC and Section 411 of the IPC.
3. Case of the prosecution is that so many stolen motorcycles have been seized from the accused persons for the offence punishable under Section 379 and 411, 34 of the IPC. The allegation against the present applicant is that he was purchasing stolen property.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The Applicant was not having any knowledge that the property which he was purchasing was stolen property. He further submits that the applicant is in jail since

21.11.2021 and conclusion of trial is likely to take time, therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. I have heard, learned counsel for the parties.
7. Considering the facts and circumstances of the case, considering the period of detention and the fact that the applicant is in jail since 21/11/2021 and conclusion of trial is likely to take time, without further commenting on merit of the case, this court finds fit to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond of Rs. 25,000/- with two sureties each to the satisfaction of the trial Court on 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;
 - (c) he shall appear before the trial Court on each and every date given to him by the said Court till the disposal of the trial;
 - (d) he shall not involve himself in any offence of similar nature in future;
 - (e) while furnishing the bail bonds, the applicant and the person who stand surety shall submit their Aadhar Cards and full-sized colored postcard size photographs mentioning their Aadhar numbers on the same before the trial Court who shall verify the same.

Sd/-

(Deepak Kumar Tiwari)
Judge