

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3275 of 2015**

- Mohd. Vikar @ Vakar, S/o Julfikar Musalman, aged about 34 years, R/o Saudagar Mohalla, Bhandara, Distt – Bhandara (M.H.)

---- Applicant**Versus**

- State Of Chhattisgarh Through – Thana – Chhuriya, Revenue/Civil Distt.- Rajnandgaon (C.G.)

---- Non-applicant

For Applicant: Shri Sameer Singh, Advocate.
For Non-applicant/State: Shri Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 263/2014 registered at Police Station Chhuriya, Distt. Rajnandgaon for the offences punishable under Sections 379, 411 & 414/34 of the Indian Penal Code.

(2) It is alleged that the accused persons have committed theft of five trucks for which, five different offences have been registered in different police stations. It is said that the vehicle was purchased by co-accused Saiyed Nisar and thereafter, the vehicle was handed over to

the present applicants for painting and changing the number plates.

(3) Learned counsel appearing for the applicants would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He would further submit that co-accused person namely Sheikh Irfan has already been granted regular bail by this Court vide order dated 18.05.2015 in M.Cr.C. No. 2412/2015 and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused person, who has already been granted regular bail by this Court vide order dated 18.05.2015 in M.Cr.C. No. 2412/2015.

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 18.05.2015 in M.Cr.C. No. 2412/2015; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

(7) Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-