

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6169 of 2015

1. Vicky Soni @ Ishwar, S/o. Hiru Soni, aged 23 years, R/o. Village – Kevtara, Post – Pachpedhi, P.S. Masturi, Civil & Revenue District Bilaspur (details wrongly mentioned in the order sheet)

----Applicant

Versus

1. State Of Chhattisgarh, Through : P.S. Padri (Mova), District Raipur (C.G.)

---- Respondent

For Applicant	: Mr. Devershi Thakur, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.54/2015, registered at Police Station – Padri (Mova), District – Raipur (C.G.) for the offence punishable under Section 392, 120-B of the Indian Penal Code and Section 25 & 27 of the Arms Act.
2. Case of the prosecution, in brief, is that on 26.02.2015 at about 1.45pm, the present applicant alongwith two other co-accused committed robbery and looted Rs.12,77,000/- from Satyanarayan Moorthy, who was working as OSD to the Director of Narayana Hospital, Raipur.
3. Learned counsel for the applicant would submit that no evidence has been collected against this applicant only Rs.2,000/- currency has

been recovered from this applicant. He would further submit that he has not been identified. He would further submit that similarly placed co-accused has been granted bail by the coordinate Bench of this Court in M.Cr.C. No.4739/2015 vide order dated 09.10.2015, therefore, he prays that the applicant may also be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact and the evidence available on record against this applicant and the fact that similarly placed co-accused has been enlarged on bail, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge