

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4944 of 2016

- Ankit Agrawal S/O Pawan Kumar Agrawal Aged About 25 Years R/O Village Sakti, Thana Sakti, Civil And Rev. Distt. Janjgir Champa, Distt. Janjgir Champa Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Chowky Bhatgaon, Police Station Bilaigarh, Distt. Balodabazar Bhatapara Chhattisgarh.

---- Respondent

For Applicant : Mr. Sanjay Agrawal, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29-08-2016

1. This is 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 on 25-06-2016 in connection with Crime No. 15 of 2016, registered at Police Station Bhilaigarh, District Baloudabazar Bhatapara (CG) for the offence punishable under Sections 379 and 41 (1)(4) of the IPC.
2. Case of the prosecution is that on 18-1-2016 a report was made by the complainant Karim Khan that on 16-1-2016 the vehicle (Pickup) bearing registration No. CG-04 3466 was stolen. Subsequently, the said vehicle was found parked in the premises of the present applicant. After enquiry, it reveals that the applicant along with other co-accused persons has committed the theft of the said vehicle.
3. Learned counsel appearing for the applicant would submit that the vehicle was merely parked in the premises of the

applicant by other co-accused Prakash Agrawal and the applicant only allowed Prakash Agrawal to park the said vehicle in the boundary wall. It is further submitted that as per statement of Suman Singh Chouhan, it would reveal that the applicant was in fact under the control of other co-accused Prakash Agrawal. He would further submit that the applicant has been falsely implicated in the instant cases, charge-sheet has been filed in the case, the applicant is in jail since 25-06-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary and documents.
6. Perused the statement of Suman Singh Chouhan wherein primary allegations have been attributed to co-accused Prakash Agrawal.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and and further considering the statement of Suman Singh Chouhan and also the fact that charge sheet has been filed and the applicant is in jail since 25-06-2016, I am inclined to release the applicant.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

