

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3691 of 2016

Vikash Varma Alias Vikas Soni S/o Shri Pramod Prasad Aged About 29 Years Caste Sonar, R/o Pithoriya, District Ranchi, Jharkhand.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Dipka, District Korba, Chhattisgarh.

---- Respondent

For applicant - Shri S.R.J. Jaiswal, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.85/2015 registered in Police Station Dipka for offence punishable under sections 394, 395, 397, 398, 411 of Indian Penal Code.
2. As per the prosecution case car of the Shivnarayan was stopped in the forest and thereafter the other co-accused looted 8 kg of silver, 100 gms of gold and Rs.50,000/- cash. The said incident was committed by 9 persons and one of the person who looted had sold 950 gms of silver to this applicant which was recovered on the memorandum of one Karan and the applicant.
3. Learned counsel for the applicant submits that the applicant is in business of goldsmith and he has purchased ornaments for valuable consideration, therefore no offence can be attributed to this applicant and the silver which is seized is also not identified, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Considering the nature of allegation against this applicant that 950 gms of silver were recovered at the instance of one of the co-accused and the applicant and also considering the fact that applicant was purchaser of looted articles, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE