

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4623 of 2016

- Deepak Nagdev S/o Narayan Das Nagdev Aged About 34 Years R/o Nemi Chand Gali, Near Prabhat Talkies, Station Road Raipur, Police Station - Ganj, Tahsil - Raipur, Civil & Revenue District - Raipur Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through Police Station - Ganj Raipur, Civil & Revenue District - Raipur Chhattisgarh-- **Respondent**

For the applicant	:	Mr. Devesh Kela, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.08.2016

1. This is first bail application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 245/2015 registered at Police Station Ganj, Raipur, District Raipur (C.G) (Criminal Case No.18614) for the offence punishable under sections 379/34 IPC.
2. As per the prosecution case, on 23.11.2015, a two wheeler i.e., Activa bearing Regn. No.C.G.04-HZ/1043 which was parked outside the station was stolen away by the applicant along-with other co-accused and subsequently, the applicant was arrested and on his memorandum, the vehicle was recovered, thereby the offence is committed.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and the applicant is in jail since 07.12.2015. He further submits that similarly placed co-accused Sanjay Vaswani has been enlarged on bail by this Court in M.Cr.C.No.7665/2015 by order dated 14.01.2016,

therefore, the present applicant may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Considering the fact that the charge sheet in this case has been filed and the applicant is in jail since 07.12.2015 as also the fact that similarly placed co-accused Sanjay Vaswani has been enlarged on bail by this Court, I am inclined to allow this bail application also.
6. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
7. Cc as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**