

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6498 of 2016

- Robin Visvash S/o Niru Visvash Aged About 30 Years R/o Village-Ranagarh Police Station & District Nandiya, West Bangal.

---- Petitioner

Versus

- State Of Chhattisgarh Through Thana- Kotwali, Raigarh, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sanjay Agrawal, Advocate

For Respondent/State : Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24-10-2016

1. This is the 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 15-9-2016 in connection with Crime No. 569 of 2015, registered at Police Station Kotwali, District Raigarh (CG) for the offence punishable under Section 379/34 of the IPC.
2. Case of the prosecution is that on 28-7-2015 a report was made by Rakesh Sharma that he had sent one Vijay Ratre to deposit Rs.1,00,000/- in the Bank and he kept the money in the Dicky of the motor-cycle which was stolen. Subsequently, the applicant was apprehended and thereby the offence has been committed.
3. Learned counsel appearing for the applicant would submit that the case of the present applicant is similar to that of other co-accused persons namely Sonu @ Upendra Nut and Prakash Kumar Nut who have been released on bail vide order dated 21-7-2016 passed by this

Court in M.Cr.C.No. 3462 of 2016, therefore, he may also be released on bail on the ground of parity.

4. *Per contra*, learned State counsel opposes the prayer for grant of bail, however, he does not dispute the fact that the case of the applicant is similar to the case of other co-accused persons who have been granted bail by this Court.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicant and considering the fact that the charge-sheet has been filed, the applicant is in jail since 15-9-2016 and further considering the fact that similarly placed other co-accused persons have been granted bail, I am inclined to release the applicant on bail.
7. 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