

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.3441 of 2017

- Jivanlal Verma S/o Shri Dauram Verma, Aged About 24 Years R/o Village Kadar, Police Station Chakarbhata, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Neora, District Raipur, Chhattisgarh.

-----Respondent

For Applicant : Shri Ritesh Verma, Advocate.

For Respondent : Shri Suryakant Mishra, Panel Lawyer for the State.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

On 13.06.2017.

This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.32/2017 registered at Police Station Neora, Distt. Raipur for the offence punishable under Sections 457, 380, 427, 411, 414/34 of the Indian Penal Code.

2. It is a case where total accused are eight persons. Allegation against the present applicant is that after the co-accused persons, who committed theft in a general store at Tilda and robbed Rs.4,65,000/-, came to Bilaspur with an intention to use the said money and in that process they came in contact with present applicant and have obtained his ID proof for the purpose of purchasing a motor cycle.

3. Learned counsel for the applicant submits that there is no proof so far as the allegation that the co-accused persons had purchased the motor

cycle by using the ID proof of the present applicant and the present applicant had never given his ID proof to the co-accused persons. He further submits that applicant has no criminal background and has been falsely implicated in the case, and therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard the counsel appearing for the parties.

6. Considering the nature of alleged role played by the present applicant and also considering the fact that the applicant is in detention since 03.02.2017, this Court is of the opinion that present is the 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 the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with two solvent sureties in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

9. In view of the above, IA No.01 for urgent hearing and IA No.02 for hearing the matter during summer vacation stand disposed of.

Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge