

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4043 of 2017**

Vikas @ Vikki Agrawal, S/o. Shankarlal Agrawal, Aged About 32 Years, R/o. Pratishtha Heiths Rambhata Road, Raigarh, Tahsil and District – Raigarh (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh, Through : Police Station -Chakradhar Nagar, Raigarh, District - Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Mr. T.K. Jha, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer
For Objector	: Ms. Hamda Siddiqui, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****13/11/2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.56/2017, registered at Police Station – Chakradhar Nagar, District – Raigarh (C.G.) for the offence punishable under Section 406 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that applicant has been falsely implicated in this case. When the incident of trespass and assault took place in the house of the complainant, applicant helped the complainant in taking care of his house and things present in the house, applicant was entrusted with jewelery of the complainant

which he has returned the same on demand made by the complainant even then complainant has lodged false FIR against the applicant. Applicant is in jail since 22.03.2017, he is willing to abide by all the conditions imposed for grant of bail. It is prayed that applicant may be released on regular bail.

3. On the other hand, learned counsel for the State as well as learned counsel for the Objector/Complainant opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Considered the submissions made and the contents of the case diary. The entrustment of the property and the breach of trust, everything is dependent on the statement made by the by the witnesses. Considering on this facts and the submission made, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that 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/-
(Rajendra Chandra Singh Samant)
Judge