

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3911 of 2018

- Vikas Kujur S/o Tyophil Kujur, Aged About 22 Years Caste- Uraon, R/o Dipatoli (Duldula), Police Station- Duldula, Tahsil- Duldula, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Duldula, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Respondent

 For Applicant : Shri Shikhar Bakhtiyar, Advocate
 For Respondent/State : Shri Samir Behar, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

09.07.2018

1. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 31.12.2017 in connection with Crime No.68/2017, registered at Police Station, Duldula, District Jashpur (CG) for the offence punishable under Sections 457, 380, 34 of the Indian Penal Code.

2. Case of the prosecution is that one Ajay Sahu lodged a report at Police Station Duldula that some unknown persons have committed theft in his house. On the basis of report, offence was registered against the unknown persons and during course of investigation, on the basis of memorandum, the applicant and other co-accused persons have been arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the instant case, he is in jail since

31.12.2017. He further submits that the case of the present applicant is similar to the case of other co-accused persons who have been granted bail vide order dated 26.6.2018 by this Court in MCRC No.3815 of 2018, therefore, present applicant may also be released on bail on the ground of parity.

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

5. I have heard learned counsel for the parties and perused the case diary.

6. Considering the facts and circumstances of the case, the fact that the offence is triable by Magistrate, trial will take some time, pre-trial detention of the applicant and also taking notice of the fact that other co-accused persons have already been released on bail, I am inclined to release the applicant on bail.

7. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.

9. Certified copy as per rules.

Sd/

(Ram Prasanna Sharma)
JUDGE