

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4097 of 2018**

1. Jitendra Verma son of Vallam Verma aged about 32 years, R/o Bhatapara, Saja, Tehsil Saja, PS and District Bemetara, CG

---- Applicant**Versus**

1. State of Chhattisgarh through SHO Police Station Saja, District Bemetara, CG

---- Respondent

For Applicant	-	Shri Suresh Verma, Advocate
For State	-	Shri Ravindra Agrawal, PL

Order on Board by Hon'ble Shri Justice Pritinker Diwaker**02/07/2018**

This application under Section 439 of the Code of Criminal Procedure has been filed by the applicant who is in custody in connection with Crime No. 169/2018 registered at Police Station Saja, for commission of the offence punishable under Section 392/34 IPC.

2. Case of the prosecution in short is that on 15.5.2018 the applicant and the main accused Raj Kumar Chandrakar had looted a cell phone worth Rs. 5000/- from complainant Vikki Dewangan.

3. Counsel for the applicant submits that the applicant just happened to be present there otherwise he had nothing to do with the commission of the offence alleged. He submits that as the looted cell phone has been seized, that the applicant is in jail since 17.5.2018, that no criminal antecedents are there against him, that the offences are triable by the Magistrate, that the charge-sheet has already been filed and that the trial is like to take some time for conclusion, he may be released on bail.

3. State counsel however opposes the application for bail.

4. Considering the facts and circumstances of the case, nature of allegation made against the applicant, the fact that the charge-sheet has already been filed, that he is in jail since 17.5.2018 and no criminal antecedents are there against the applicant, this Court is of the opinion that it is a fit case to release him on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his furnishing a bond in the sum of Rs. 1,00,000/- (One lakh) with one surety for the like sum to the satisfaction of the concerned Court for his appearance before that Court as and when directed.

Sd/-

(Pritinker Diwaker)

Judge

Jyotishi