

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4120 of 2018

- Devnath Yadav @ Vivek @ Vicky S/o Basant Yadav Aged About 37 Years R/o Matachoura Kududand, District Bilaspur Chhattisgarh.

---- Applicant

In Jail

Versus

- State Of Chhattisgarh Through P.S. Kota, Bilaspur, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	:	Shri N.K. Jaiswal, Advocate.
For Respondent/State	:	Shri Ravindra Agrawal, G.A.

Hon'ble Shri Pritinker Diwaker, J

Order On Board

02/07/2018

The applicant has filed this application under Section 439 of CrPC for grant of bail as he is in custody since 10.2.2018 in connection with Crime No.58/2018 registered at Police Station – Kota, Distt. Bilaspur for the offence punishable under Section 379 of IPC.

02. As per prosecution case, on 10.2.2018 when the applicant after committing theft of motorcycle was trying to flee with the said motorcycle, he was caught red handed.

03. Counsel for the applicant submits that the offence alleged is triable by the Magistrate First Class, charge sheet has already been filed, nothing is required to be seized from the applicant and he is in jail

since 10.2.2018. He further submits that the applicant has no criminal antecedents.

04. On the other hand, State counsel opposes the bail application.

05. Heard counsel for the parties and perused the material available on record.

06. Considering the detention period of the applicant and that the offence is triable by the Magistrate, without further commenting on merits of the case, I am inclined to release the applicant on bail. Accordingly, the application is allowed. The applicant is directed to be released on bail on his furnishing a personal bond of Rs. 1 lac with one surety for the like sum to the satisfaction of the concerned trial Court for his appearance before it as and when directed.

Sd/

(Pritinker Diwaker)

Judge