

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4172 of 2018**

- Vinay Kumar Mishra, son of Avadesh Kumar Mishra, aged about 42 years, resident of 119-A, Maitri Vihar, Radhika Nagar, Near Ekta Park, Police Station Supela, Bhilai, District Durg (C.G.)

--- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Khursipar, Civil and Revenue District Durg (C.G.)

---- Respondent

For Applicant	:	Shri S.K.Agrawal, Advocate.
For Respondents/State	:	Shri Aditya Sharma and Shri V.B.Singh, P.Ls.

Hon'ble Shri Justice Sanjay Agrawal**Order On Board****16.07.2018**

1. Heard.

2. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail as the applicant has been arrested on 01.04.2018 in connection with Crime No.123 of 2018 registered in Police Station Khursipar, Civil and Revenue Distt. Durg for the offence punishable under Sections 420, 483 read with Section 34 of the I.P.C.

3. Case of the prosecution, in brief is that on 01.04.2018 upon receiving secret information that there are two vehicles running with the same registration number, i.e., CG/04/G/6131, the concerned police station Khursipar made the search and discovered that Engine Number and Chasis Number do not match the registration details for the said registered vehicle, i.e., CG/04/G/6131,

whereas the registration number of the vehicle, which was seized by the police, is of CG/07/CA/3075 and that is in the name of the applicant, namely Vinay Mishra. Certain relevant papers pertaining to the said vehicle were seized from the applicant. Based upon such information and investigation, an offence has been registered against the applicant while arresting him on 01.04.2018.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in connection with the aforesaid crime. He submits that he is the owner of the vehicle bearing its registration No.CG/07/CA/3075. He further submits that since the charge sheet has already been filed, therefore, there is no possibility of tampering with the evidence and influencing any of the witnesses mentioned in the charge sheet

5. On the other hand, learned counsel for the State opposes the bail application by submitting, inter alia, that the relevant papers of the vehicle in question were not only recovered from the applicant but he was also found in the said vehicle at the relevant time while transporting the iron cell by changing number plate of the vehicle. He submits further that two vehicles were running with the same Registration Number and upon its due enquiry, it was found that the Engine Number and Chasis Number do not tally the Registration details of vehicle bearing Registration No.CG/04/G/6131.

6. I have heard learned counsel for the parties.

7. Having considered the facts and circumstances of the case and without commenting with regard to the merits of the case, at this stage, I am inclined to enlarge the applicant on bail.

8. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a bail bond in sum of Rs.2,00,000/- (Rupees Two lakhs only) with one surety in the like sum to the satisfaction of the trial

Court. He is directed to appear before the trial Court on each and every date as and when directed by the said concerned Court.

Certified copy as per rules.

Sd/-
(Sanjay Agrawal)
Judge