

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4261 of 2018

- Vikky Bhoyar @ Swapnil Bhoyar S/o Rajkumar Bhoyar Aged About 27 Years R/o Gondiya Police Station Gondiya, District Gondiya Maharashtra.

---- Applicant

In Jail

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Dongargarh District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	:	Shri Samir Singh, Advocate.
For Respondent/State	:	Shri Avinash K. Mishra, P.L.

Hon'ble Shri Pritinker Diwaker, J

Order On Board

03/07/2018

The applicant has filed this application under Section 439 of CrPC for grant of bail as he is in custody since 28.11.2017 in connection with Crime No.316/2017 registered at Police Station – Dongargarh, Distt-Rajnandgaon for the offence punishable under Sections 457, 380, 411/34 of IPC.

02. As per prosecution case, the applicant who is a train vendor on 20.9.2017 entered the house of complainant Jaggu Yadav and committed theft of certain ornaments and cell phones, total worth Rs.30,000/-.

03. Counsel for the applicant submits that the applicant is a resident

of Maharashtra and has been falsely implicated because he failed to satisfy the lust of the police officers. It has been submitted that the applicant is in jail since 28.11.2017, the offences are triable by the Magistrate, the charge sheet has already been filed and therefore, he may be released on bail.

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 nature of allegations against the applicant, 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. 2 lac with one local 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