

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5552 of 2018**

Prakash Bagh, S/o Jaspal Bagh, aged about 26 years, R/o Kalika Nagar, Tifra, P.S. Sirgitti, District – Bilaspur, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through- District Magistrate Bilaspur, District - Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Nitansh Kumar Jaiswal, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

28/08/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with Crime No. 187/2018, registered at Police Station Ratanpur, District – Bilaspur (C.G.) for the offences punishable under Sections 454, 380, 109 and 34 of the IPC Act.
2. As per the prosecution story, the co-accused Maya Sharma @ Geetanjali Sharma was residing with the complainant Shiv Kumar Dubey. Allegedly, on 18.05.2018 said Maya Sharma stolen cash amount worth Rs. 7,00,000/- from the house of Shiv Kumar Dubey. During the course of investigation on the basis of memorandum of statement of the present applicant Rs. 2,65,000/- has been seized from the possession of him. It is alleged that for the said theft of Rs. 7,00,000/- the present applicant has abetted the co-accused Maya Sharma.

3. Shri Nitansh Kumar Jaiswal, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case. He further submits that the main accused is Maya Sharma who actually stolen the said amount and she has granted bail vide order dated 06.07.2018, by this Court passed in M.Cr.C. No. 4457/2018. He further submits that the present applicant is in jail since 21.05.2018, charge sheet has been filed and there is no criminal antecedent of the present applicant regarding any other offence, trial will likely to take some more time, therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary.
6. Considering the facts and circumstances of the case and further considering the facts that the other co-accused Maya Sharma has granted bail by this Court and that the applicant is in custody since 21-05-2018, charge sheet has been filed, therefore, trial will likely to take some time, without further commenting on merit of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 10,000/- with one surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge