

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7282 of 2018**

- Ravi Pandey S/o Shrihari Pandey, aged about 29 Years R/o Naya Ganj Ward, Bhatapara, Police Station- Bhatapara (Town) District- Balodabazar- Bhatapara, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station- Simga, District- Balodabazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Shri C.R. Sahu, Advocate.
For Respondent/State	: Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**30/10/2018**

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 Istagasa No. 01/2018, registered at Police Station – Simga, District- Balodabazar-Bhatapara, (C.G.) for the offence punishable under Sections 41 (1+4) of Cr.P.C. and Section 379 of the Indian Penal Code.
2. As per the prosecution story, on 16.08.2018, on the basis of the memorandum of the present Applicant, total 21 mobile handsets have been seized from the possession of present Applicant. All the seized mobile phones were stolen property. He used to purchase all the stolen mobile phones from one co-accused Devvrat Verma, who used to steal mobile and sale the same to the Applicant. Thereafter, the Applicant used to sale those mobile phones to other persons. On the basis of the said allegation, offence has been registered against the present Applicant and has been taken into custody on 17.08.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the Applicant has no criminal antecedent, he is in custody since 17.08.2018 and trial will take some time. Therefore, he may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant has no criminal antecedent, he is in custody since 17.08.2018 and trial is likely to take some time, without further commenting on merits 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. 20,000/- with one solvent 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