

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8469 of 2018**

Nikhil Yadav @ Manish Yadav S/o Shri Mantram Yadav, aged about 22 years
R/o Village Gataura Near Station PS Masturi District Bilaspur (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through SHO Torwa PS Torwa Distt. Bilaspur (C.G.).

---- Respondent

For Applicant	:	Mr. Dheerendra Pandey, Advocate
For Respondent	:	Mr. Bhaskar Payashi, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

01/12/2018

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 299/2018 registered at Police Station Torwa, Distt. Bilaspur (C.G.) for the offence punishable under Sections 457, 380, 411, 120-B, 34 of the IPC.
2. As per prosecution story, on 16/07/2018 Complainant Raju Khatik lodged a report stating therein that some unknown persons robbed his house and took gold-silver jeweleries and a sum of Rs. 2 Lakhs. On the basis of said report, offence has been registered. Allegation against the Applicant is that before committing crime, he made 'Reki' along with co-accused Ajju @ Ajay for the said offence of theft. The Applicant has been taken into custody on 20/07/2018.
3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated. There is no

direct evidence against the Applicant and he has been made accused only on the memorandum statement of co-accused persons. He further submits that co-accused namely Ajju @ Ajay, Mohd. Akeel Qureshi and Dinesh Damahe have been granted bail by this Court vide common order dated 25/10/2018 passed in MCRC Nos. 6933, 7123 & 7124 of 2018, respectively. He prays that the Applicant may also be granted benefit of bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Applicant is in jail since 20/07/2018, charge-sheet has been filed, trial will likely to take time and co-accused namely Ajju @ Ajay, Mohd. Akeel Qureshi and Dinesh Damahe have been granted bail by this Court vide common order dated 25/10/2018 passed in MCRC Nos. 6933, 7123 & 7124 of 2018, respectively, without further commenting on merit of the case, I am inclined to release the Applicant 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 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