

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8287 of 2018

Devrat S/o. Chandulal Verma, Aged about 28 years, R/o. Village Mopka,
P.S. Bhatapara (Rural) District Baloda Bazar Bhatapara (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station
Simga, District Baloda Bazar Bhatapara(C.G.)

---- Respondent

For Applicant : Mr. Amiyakant Tiwari, Advocate
For Respondent : Mr. Sanjeev Pandey, Govt. Advocate

Hon'ble Shri Justice Vimla Singh Kapoor.

Order On Board

31/10/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail to the applicant who have been arrested in connection with Crime No. 02/2018 registered at Police Station- Simga, District Baloda Bazar, Bhatapara (C.G.) for the offence punishable under Sections 379 IPC and Section 41 (1+4) CrPC.
2. As per prosecution case, the applicant had stolen numbers of mobile phones and sold them out. His complicity is described in the memorandum of Deepak Verma who is accused in Crime No. 233 of 2018.
3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the case. He further submits that the co-accused have already been granted bail by this

Court vide order dated 26.10.2018 passed in MCRC Nos. 7036 and 7942 of 2018 therefore, he too may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and the fact that the applicant is in jail since 22.08.2018 and further considering the fact that the co-accused have already been granted bail vide order dated 26.10.2018 passed in MCRC Nos. 7036 and 7942 of 2018, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Vimla Singh Kapoor)
Judge

Jyotishi/ Santosh