

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 120 of 2018

Gorakh Ram S/o Late Indrajeet, Aged About 35 Years
Occupation Labour, R/o Village Sohoul, Police Station
Bardah, District Aajamgarh U. P. **----Applicant**

Versus

State of Chhattisgarh Through The Police Station
Katghora District Korba Chhattisgarh **---- Respondent**

For the applicant : Mr. Vikas Pandey, Advocate.
For the State : Mrs.Madhunish Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.03.2018

1. This is second bail application filed u/s 439 of the Code of Criminal Procedure for grant of bail to the applicant in connection with Crime No. 212/2016 registered at Police Station- Katghora, District- Korba (C.G.) for the offences punishable u/ss 379, 411, 419, 420, 467, 468, 471 read with section 34 of IPC.
2. The first bail application was dismissed on 01.03.2017.
3. As per the prosecution case, a report was lodged by one Deepak Shrivastava on 14.07.2016 that his Bolero Vehicle bearing registration No. C.G. 12-D/0687 has been stolen by some one. Subsequently, during investigation the applicant was taken into custody and on his memorandum, it was revealed that the applicant after stealing the vehicle sold it to the Vidyawati Gupta who was running a scrap shop. Thereafter, after changing the number same was sold to another person.

4. Learned counsel for the applicant would submit that the charges were framed in this case on 08.11.2016 and thereafter, no iota of evidence has been recorded till date. He refers to the order sheets and submits that the applicant is in jail since 12.08.2016 and no reason has been assigned for the delay in trial.
5. Per contra, learned State Counsel opposes the prayer.
6. Considering the fact that the appellant is in jail since 12.08.2016 and after framing the charges on 08.11.2016 no single evidence has recorded as per the last order sheet dated 12.07.2017 which the State counsel is unable to dispute, I am inclined to release the applicant on bail at this stage.
7. Accordingly, this bail application is allowed and the applicant is directed to be released on bail on his furnishing a bail bond in sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial court for his appearance before the said court as and when directed.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE