

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8758 of 2018**

- Devvrat S/o Chandulal Verma, Aged About 28 Years, R/o Village Mopka, P. S. Bhatapara (Rural), District Balodabazar-Bhatapara, Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For Applicant	: Shri Amiyakant Tiwari, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/12/2018

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. 169/2018, registered at Police Station – Simga, District-Balodabazar-Bhatapara, (C.G.), for the offence punishable under Section 411, 379, 413/34 of the Indian Penal Code.
2. As per the prosecution story, on 05.06.2018, Complainant Terha Ram Sahu lodged a report wherein it has been stated that while purchasing vegetable in weekly market Simga, his mobile Samsung Galaxy has been stolen by some unknown person. On the basis of the said report, offence has been registered against the present Applicant. During course of investigation and as per the memorandum statement of the Applicant some stolen mobiles have been seized from the present Applicant and the said mobile of Complainant Terha Ram has been seized from the possession of co-accused Ravi Pandey. The present Applicant has been taken into custody on 22.08.2018.
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 co-accused Ravi Pandey has already been granted bail vide order dated 01/11/2018 passed in MCRC No. 7318/2018 by this Court. He also submits that the Applicant has no criminal antecedent, he is in custody since 22.08.2018 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 22.08.2018 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