

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9258 of 2018

- Indar Sonwani, S/o Shri Ramprasad, aged about 36 years, R/o Village Near Sandbar Barrier, O.P.-Manipur, P.S. Ambikapur, Distt. Surguja (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through Police Station – Gandhinagar, District-Surajpur (C.G.)

---- Respondent

For Applicant	: Shri Bhupendra Singh, 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. 141/2018, registered at Police Station – Gandhinagar, District- Surguja (C.G.) for the offence punishable under Section 457, 380, 120 (B), 411 & 413 of the IPC.
2. As per the prosecution story, in the intervening night of 12.06.2018 & 13.06.2018, some unknown person entered in the house of complainant Pankaj Kumar and stolen some ornaments, utensils and Rs. 15,000/- cash. Report was made by Pankaj Kumar. During course of investigation, on the basis of memorandum statement of the present Applicant some stolen articles have been seized from his possession and he has been arrested 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 the Applicant has no criminal antecedent, other

co-accused persons namely Sanjay Verma, Ambikesh Prasad and Gopal Soni have already granted benefit of bail by the Trial Court, the Applicant 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 with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the other co-accused persons have already granted benefit of bail by the Trial Court, the Applicant 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. 25,000/- 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