

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2162 of 2019

- Anil Ekka S/o Kapil Ekka Aged About 24 Years R/o Mohalla Ghutrapara, Tahsil And Police Station - Ambikapur, District - Surguja Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gandhinagar, District - Surguja Chhattisgarh.

---- Respondent

For Applicant	: Shri Dev Ashish Biswas, Advocate
For Respondent/State	: Smt. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

02/05/2019

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, on 09.06.2018, complainant Pankaj Kumar along with family members went to his matrimonial house, when he returned on 14.06.2018, he found that some unknown persons after breaking the lock entered in his house and stole some cash and ornaments amounting to Rs. 4,60,000/-, thereafter he made a report. On the basis of said report, offence has been registered. During course of investigation on the basis of memorandum statement of co-accused Indar Sonwani one iron rod has been seized. The applicant is in custody since 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 other co-accused persons namely Indar Sonwani has already granted benefit of bail by this Court vide order dated 14.12.2018 passed in MCRC NO. 9258/2018, the Applicant is in custody since 22.08.2018, charge-sheet has already been filed and trial is likely to 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 person has already granted benefit of bail by this Court, the Applicant is in custody since 22.08.2018, charge-sheet has already been filed 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