

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3876 of 2020**

- Vickkey, S/o Munna Yadav, Aged About 19 Years, R/o Mohabhatta Road, Bramhan Para Bemetara, Police Station & District- Bemetara (C. G.).

---- Applicant

**Versus**

- State of Chhattisgarh, Through: Station House Officer, Police Station- Bemetara, District- Bemetara (C. G.).

---- Respondent

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For Applicant : Mr. Amit Kumar Sahu, Adv.  
For Respondent/State : Mr. Dinesh Tiwari, Dy. G.A.

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**Hon'ble Smt. Justice Rajani Dubey**

**Order on Board**

**04.08.2020**

1. Heard on admission.
2. Admit.
3. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 140/2020 registered at Police Station- Bemetara, District- Bemetara (C.G.) for the offence punishable under Sections 457, 380 of IPC.
4. The prosecution story, in brief is that, on 04.03.2020, at about 5.00 P.M., complainant went to his native place and when he came back on 06.03.2020 at about 12.45 P.M., he saw that someone has committed a theft of some articles, cash and documents. Thereafter, offence has been registered against the present applicant and he has been taken into custody.
5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that other co-accused has been granted bail in MCRC

No. 3227/2020 vide order dated 22.06.2020 by this Hon'ble Court. The applicant is in jail since 18.03.2020 and there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

6. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the applicant is of serious in nature, therefore, no case is made out for grant of bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that other co-accused has been granted bail in MCRC No. 3227/2020 vide order dated 22.06.2020 by this Hon'ble Court. The applicant is in jail since 18.03.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
9. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-**  
**(Rajani Dubey)**  
**Judge**

Ruchi