

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6100 of 2020**

- Vikram Swaroop Bhatnagar S/o Late Shri Lakshman Swaroop Bhatnagar Aged About 51 Years R/o B-1/143, Street No. 5, Ashok Nagar, Delhi.

---- Applicant**Versus**

- State Of Chhattisgarh, Acting Through Officer-In-Charge Police Station - Kotwali, District - Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Lukesh Kumar Mishra, Advocate.
 For Respondent/State : Mr. Samir Uraon, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/12/2020**

1. The accused/applicant has moved this **second bail application** under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 311/2019 registered at Police Station - Kotwali, District - Raipur (C.G.) for the offence punishable under Sections 420, 408, 120B, 34 of the IPC.
2. The first bail application of the applicant was dismissed with liberty to revive the same after examination of the material witnesses by this Court on 02.03.2020 in MCRC No. 8401/2019.
3. The prosecution story, in brief is that, a written complaint was made by the complainant that the present applicant along with other co-accused persons took 1242.120 grms gold jewellery from the Director of Shriram Jewellery V. Kumar and fled away. Based on this, offence has been registered against the present applicant.
4. 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 entire allegation is against

the Kunal Handa and the co-accused has already been granted bail in MCRC No. 1152/2020, therefore, the present applicant may also be granted benefit of bail. He also submits that the applicant is in jail since 15.08.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application and submits that the applicant along with other co-accused person took the gold jewellery and fled away, therefore, no case is made out to release him on bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the other co-accused person has already been granted bail and the applicant is in jail since 15.08.2019 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.
8. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 5,00,000/- 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