

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5739 of 2020**

- Vicky Ghasi, S/o Late Parmanandghasi, Aged About 28 Years R/o 101, Dipatoli, Jashpur Nagar, Ward No. 05, District - Jashpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through Police Station City Kotwali Jashpur, District Jashpur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anshul Tiwari, Advocate.
For State	:	Mr. Dinesh Tiwari, Deputy Govt. Advocate

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****25-11-2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 2-6-2020 in connection with Crime No 335 of 2019 registered at Police Station City Kotwali, Jashpur, District Jashpur (CG) for the offence punishable under Sections 457, 380 and 411 read with Section 34 of IPC.
2. The allegation against the present applicant is that he along with other co-accused person entered the house of the complainant and stolen some golden and silver ornaments. Based on that, offence has been registered and he has been arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further

submits that on the basis of memorandum, the stolen property has been seized from the co-accused and only Rs.500/- has been seized from the present applicant. He would further submit that the applicant is in custody since 2-6-2020 and trial is likely to take some time for its disposal. He would further submit that with covering memo dated 12-10-2020, in place of a copy of the order dated 25-8-2020 passed by Co-ordinate Bench of this court in M.Cr.C.No. 4450 of 2020, a copy of the order dated 14-9-2020 passed by co-ordinate Bench of this court in MCRC No. 4550 of 2020 has wrongly been placed. He would further submit that the case of the present applicant is similar to the case of other co-accused who has already been granted bail by order dated 25-8-2020 passed by co-ordinate Bench of this court in M.Cr.C.No. 4450 of 2020, therefore, the present applicant may also be granted bail on the same ground.

4. On the other hand, learned counsel for the respondent/State opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, nature and gravity of the offence, further considering the detention period of the applicant, conclusion of trial may take some time and further considering the fact that the co-accused has already been granted by co-ordinate Bench of this Court, without further comments on the merits of the case, I am of the opinion that it is

a fit case to grant the bail to the applicant.

7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with two solvent sureties for the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the said trial court, till disposal of the trial.
8. The applicant is being granted bail on the condition that if the applicant is again found involve in similar commission of offence, it would be open for the State to apply for cancellation of the bail.

Sd/-

(Gautam Chourdiya)
Judge

Raju