

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5778 of 2020

1. Ashok Kumar Sinha @ Vinod Sinha S/o Late Muniram Prasad
Aged About 40 Years R/o Chimni Bhattha, Korba Police Station
Korba District Korba Chhattisgarh

---- Applicant

Versus

1. The State Of Chhattisgarh Through The Police Station Kotwali
District Korba Chhattisgarh

---- Respondent

For Applicant Mr. Punit Ruparel, Advocate

For Respondent /State Mr. Gagan Tiwari, Dy. Govt. Advocate

(Proceedings through Video Conferencing)

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

3/11/2020

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of CrPC, as he is arrested in connection with Crime No.559/2020 registered at Police Station Kotwali, District Korba (CG), for the offence punishable under Sections 457, 380 & 411 read with Section 34 of the Indian Penal Code.
3. Applicant has committed theft of electrical goods and other articles from a project undertaken by the Municipal Corporation, Korba at Gevra.
4. Learned counsel appearing for the State, *per contra*, would oppose the bail application on submission that the applicant has previous antecedents of committing similar nature of crime whereas learned

counsel for the applicant would submit that the co-accused namely; Mohammad Abu Nasar @ Indu, Meer Abdul Hasan & Mohd. Mustak @ Gudda, have been released on bail by common order dated 19-8-2020 passed in MCRC Nos.5262, 5185 & 5270 of 2020, respectively.

5. Considering the entire facts situation of the case, particularly considering the fact that the co-accused have already been released on bail and also looking to the fact that the applicant is in jail since 20-7-2020, I am of the opinion that present is a fit case to release the applicant on regular bail with the following conditions :-

- he shall appear before the concerned Police Station on First and Fifteenth day of every month during the pendency of trial;
- he shall not get involved in any criminal offence during the pendency of trial;
- registration of any criminal case against him would entail automatic withdrawal/ cancellation of this bail order and the concerned Police shall be entitled to arrest him immediately on registration of fresh criminal case against him after informing the trial Magistrate;
- the applicant shall execute a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court; and
- he shall appear before the trial Court on each and every date given by the said Court.

6. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Judge