

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8826 of 2020**

- Tikait Ram S/o Late Shri Mangalu Dhanuhar, aged 26 years, R/o Village Sonpuri, Police Station: Kotwali, District : Korba (C.G.).

---- Applicant**Versus**

- State Of Chhattisgarh Through: District Magistrate Korba, Police Station : Kotwali, District- Korba (C.G.).

---- Respondent

For Applicant	: Shri S. B. Pandey, Advocate
For Respondent/State	: Shri Dinesh Tiwari, Dy. G. A.

Hon'ble Justice Shri Gautam Chourdiya**Order on Board****06/01/2021**

- 1) Heard
- 2) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 03.09.2020 in connection with Crime No.163/2018 registered at Police Station Kotwali, Distt. : Korba (C.G.) for the offence punishable under Section 457, 380, 395, 34 of Indian Penal Code.
- 3) Learned counsel for the applicant submits that the applicant is in jail since 03.09.2020 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Similarly placed co-accused persons namely-Mohammad Imron, Komal Sahu, Suryapratap Tanwar, Vushnu Agariya, Dhan Singh and Rakesh Tanwar have been granted bail by this Court on 17.05.2018 vide MCRC No. 2607/2018, 11.07.2018 vide MCRC No. 4506/2018, 24.09.2018 vide MCRC No.

6129/2018, and 29.10.2018 vide MCRC No. 7076/2018 respectively by this Court. Hence, it is prayed that the applicant be enlarged on bail.

- 4) On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
- 5) Heard counsel for both the parties and perused the case diary.
- 6) As per the prosecution case, 70 kg of copper wire was stolen from SECL workshop. After lodging of FIR and on the basis of the memorandum statement given by Vishnu and Hohd. Imron, some seizure of copper wire was made from the accused person. Hence this case.
- 7) Considering the material present in the case-diary and taking into consideration the fact that similarly placed co-accused persons have been granted bail by this Court I feel inclined to grant regular bail to the applicant in this case.
- 8) Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
- 9) It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance as and when directed. In case any default is committed by the applicant in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Certified copy as per rules

Sd/-

**(Gautam Chourdiya)
Judge**