
(2018) 12 CHH CK 0093

In the Chhattisgarh High Court

Case No : Miscellaneous Criminal Case (MCRC) No. 8788 Of 2018

Kishan Kumar Bhardwaj @ Sonu And Ors

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 17-12-2018

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 34, 413, 414, 420, 467, 468, 471

Citation : (2018) 12 CHH CK 0093

Hon'ble Judges : Vimla Singh Kapoor, J

Bench : Single Bench

Advocate : A.P. Sharma, Ramakant Mishra

Final Decision : Allowed

Judgement

Vimla Singh Kapoor, J

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail to the applicants who have been arrested

in connection with Crime No. 49/2017 registered at Police Station Kabirdham District Kabirdham, (C.G.) for the offence punishable under Sections

413,414,420,467,468,471, 34 IPC.

2. As per prosecution case the accused/applicants herein with the connivance of other used to deal in the sell and purchase of motorcycle, which later

on were seized from the persons who had purchased it, with the paper pertaining thereon.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the case and they are in jail since 12.01.2016 and the

trial will take some time, therefore, they may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and the fact that the applicants are in jail since 12.01.2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.