

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3265 of 2015**

- Ravi @ Bitthal Yadav, S/o Santosh Yadav, Aged about 20 years, R/o Bandhwapara Arvind Nagar Bilaspur, Police Station Sarkanda Tahsil & Distt. Bilaspur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Sarkanda, Bilaspur, District Bilaspur (C.G.)

---- Non-applicant

For Applicant: Shri Dheerendra Pandey, Advocate.
For Non-Applicant/State: Smt. Anusuiya Rajput, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/07/2015**

Heard.

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 68/2015 registered at Police Station Sarkanda, District Bilaspur for the offence punishable under Section 380 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is alleged to have stolen the motorcycle owned by complainant – Viktar Vijay on 22.02.2015 and, thereby, committed the aforesaid offence.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the crime in question as he is nothing to do with the same. He further submits that applicant is in jail since 24.02.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that the stolen article i.e. motorcycle has been recovered from the possession of the applicant and, therefore, he is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; and looking to the nature & gravity of the offence; further considering the recovery of motorcycle from the possession of the applicant; I am not inclined to release the applicant on bail. Therefore, the bail application is rejected.

Certified copy, as per rules.

(Sanjay K. Agrawal)
Judge

D/-

