

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C.No. 3172 of 2015**

- Nilesh Singh Thakur, aged about 25 years s/o. Bharat Singh Thakur, r/o. Dhamni Kuka, Thana & Tahsil Ranapur, District Jhabua (MP).

**---- Applicant**

**Versus**

- State of Chhattisgarh Through : Station Incharge, Police Station Katghora, District Korba (CG).

**---- Respondent**

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| For Applicant        | : | Mr. Anumeh Shrivastava Advocate. |
| For Respondent/State | : | Mr. Qamrul Aziz Panel Lawyer.    |

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**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order On Board**

**7/7/2015**

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 11-10-2014 in connection with Crime No. 280 of 2014 registered at Police Station Katghora, District Korba (CG) for the offence punishable under Sections 395 and 397 of IPC..
2. The case of the prosecution, in brief, is that on 11-10-2014 the applicant along with other co-accused persons committed dacoity in the jewellery shop owned by Smt. Kiran Devi and took away jeweleries and cash of Rs.4,17,000/- and also caused grievous injury to the complainant/owner of the shop and thereby he committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that the present has not committed any offence and he has been falsely implicated in the case. He would further submit that there is no evidence to connect the present applicant with the crime in question, charge-sheet has been filed , the applicant is in jail since 11-10-2014 and no useful purpose would be served by keeping him in jail, therefore, he may be released on bail.

4. On the other hand, learned counsel appearing for the State opposing the bail application would submit that silver ornaments and some of cash were recovered from the present applicant, therefore, he is not entitled to be released on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, considering the recovery of silver ornaments and cash from the present applicant and the manner in which the applicant along with other co-accused persons is said to have committed dacoity in the jewelery shop of Smt. Kiran Devi and caused grievous hurt to the complainant, I am of the considered opinion that present is not a fit case where the applicant can be enlarged on bail.
7. Accordingly, the instant M.Cr.C. is liable to be and is hereby rejected.

Sd/-

(Sanjay K. Agrawal)  
Judge