

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3666 of 2015**

- Balli Pando, S/o Shivmangal Pando, aged about 29 years, R/o Village Mahora (Jamijhariya), Police Station Patna, at present residing at Banda Bhis Jobapara, Shrinagar, Civil and Revenue District – Surajpur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through: the Station House Officer, Police of Police Station Patna, District Korea (C.G.)

---- Non-applicant

For Applicant: Mr. Pushpendra Kumar Patel, Advocate.
For Respondent/State: Mr. Neeraj Pradhan, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****03/08/2015**

Heard.

(1) The accused/applicant has moved 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. 16/2014 registered at Police Station – Patna, District Korea for the offences punishable under Sections 457 & 380/34 of the Indian Penal Code.

(2) Case of the prosecution is that applicant & other co-accused persons are alleged to have stolen three piece of *pital*

lamp and an amount of Rs. 2,000/- from the Pandeshwarnath Shiv Mandir, Baikunthpur and, thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the offence in question as he has not committed any offence and, as such, he is in jail since 13.02.2014 and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State submits that stolen articles have been seized 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; looking to the nature and gravity of the offence; particularly the fact that stolen article have been recovered from the applicant's possession and the other material collected by the prosecution against the applicant, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-