

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3776 of 2015**

Jai Kishan, Son of Sadhram Yadav, aged about 25 years, R/o
Pikri Pali, Police Station and Tahsil Baramkela, Civil and
Revenue District Raigarh (C.G.)

.....Applicant**Versus**

State Of Chhattisgarh P.S. Kotwali (Chowki C.S.E.B.) Korba,
Civil and Revenue District Korba (C.G.)

..... Respondent

For Applicant:	Shri Punit Ruparel, Advocate.
For Respondent/State:	Shri R.K. Mishra, Dy. Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/08/2015**

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. 165/2015 registered at Police Station – Kotwali (Chowki C.S.E.B.), Civil & Revenue District Korba (C.G.) for the offences punishable under Sections 381 & 409/34 of the Indian Penal Code.

(2) Case of the prosecution is that the applicant is said to have stolen ₹ 4,15,740/- from the ATP machine owned by Chhattisgarh State Electricity Board, Tulsi Nagar, Korba and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has been falsely been implicated in the offence in question as he has not committed any offence. He further submits that the applicant is working as Operator of the said Machine in the CSEB; he is in custody since 25.04.2015; no useful purpose would be served in detaining him in jail and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that Rs.19,500/- 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; further considering the fact that ₹ 19,500/- has been recovered from the possession of the applicant; and the other material collected by the prosecution, 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/-