

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4290 of 2015**

1. Pardeshi, aged about 30 years, Son of Kanhai, Caste Yadav.
2. Kamlesh, aged about 19 years, Son of Kanhaiya, Caste Sahu,
3. Khamhan, aged about 28 years, son of Manharan, Caste Bhoi

All are R/o Village Pondibhata, Akaltara, P.S. Akaltara,
District Janjgir Champa (C.G.)

---- Applicants**Versus**

State Of Chhattisgarh Through: Station House Officer, P.S.
Akaltara, District Janjgir-Champa (C.G.)

---- Non-applicant

For Applicants: Mr. N.K. Chatterjee, Advocate.
For Non-applicant/State: Mr. Lov Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****24/08/2015**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 175/2015 registered at Police Station Akaltara, District Janjgir-Champa for the offences punishable under Sections 454, 380, 411/34 of the Indian Penal Code. (41 wrongly mentioned).

(2) Case of the prosecution, in brief, is that applicants are said to have stolen property from the house of complainant- Chootelal amounting to ₹ 30,000/- and thereby committed the aforesaid offences.

(3) Counsel for the applicants submits that applicants have been falsely implicated in the offence in question as they have not committed any offence. He further submits that the applicants are in jail since 30.07.2015; and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State submits that stolen articles have been recovered from the possession of applicants and, therefore, the applicants are not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; and the manner in which the applicant is alleged to have stolen the property from the house of complainant and subsequent recovery from them; 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/-