

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4273 OF 2015**

Anil Sweeper S/o Madan Sweeper aged about 27 years R/o Indra Colony
Police Station Basantpur, Tahsil & District Rajnandgaon (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through the Station House Officer, Police Station,
Kotwali, Rajnandgaon (CG).

---Non-applicant

For Applicant	:	Mr. Shaleen Singh Baghel, Advocate.
For-Non-applicant	:	Mr. Qamarul Aziz, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/09/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 928/2014, registered at Police Station Kotwali Rajnandgaon, for the offence punishable under Sections 454, 380/34 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that, applicant alleged to have stolen Mobile & Laptop of complainant-Vedanand Jha in the intervening night of 06-22/11/2014 and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that seizure witnesses have been examined and they have turned hostile. He would lastly submit that charge sheet has been filed and applicant is in jail since 20/03/2015, therefore, he

may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of 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; further taking into consideration the nature and gravity of offence and the recovery of stolen articles from the possession of the applicant, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari