

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C(A) No. 1165 of 2015**

Ritesh Agrawal, S/o.- Hukumchand Agrawal, Aged about 19 years,
by caste Agrawal, R/o. Kaserpara, Sakti, Tahsil and P.S. Sakti, Civil
and Revenue District Janjgir –Champa (C.G.)

----Applicant

Versus

State Of Chhattisgarh Through Station House Officer, P.S. Kharsiya
District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:-	Shri AwadhTripathi, Advocate.
For Respondent/State	:-	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board**

27/11/2015

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending her arrest in connection with Crime No. 20/2015, registered at Police Station –Kharsiya, District – Raigarh (C.G.) for offence punishable under Sections 454,380 of IPC
2. As per the prosecution case, a written report was made by the complainant Arun Kumar Arora that some unknown persons have committed house breaking theft of cash of Rs. 50,000/- and one gold ear ring, gold Latkan, gold Bangles and one finger ring and one gold chain on 17.01.2015, which the applicant had purchased from the other co-accused are the stolen property. Thereafter the Police has registered the crime against the applicant and the other c-accused for the offence punishable under sections 454,380 of IPC.
3. Counsel for the applicant submits that the applicant has been wrongly inculpated in this case. He further summits that on the earlier occasion on 24.02.2015 the applicant and the other co-accused Suresh

Kuwas were arrested by the police and the applicant has detained in custody for one month, wherein the interrogation could have been made against them and nothing was transpired and only on the basis of memorandum of co-accused Suresh Kumar the applicant is being apprehended.

4. Learned State counsel opposes the prayer for grant of bail and submits that in the earlier occasion also the applicant was arrested in the crime and after taking finger print of co-accused Suresh Kumar, another memorandum was obtained from other co-accused Shiva and on that basis the applicant is necessarily requested to arrest and recovery has been made of the gold ornaments.

5. Considering the case diary at the time available in the case and the documents available on record, the charge sheet has already been filed in this case where the applicant is declared as absconder, this Court is of the opinion that it is not a fit case where the applicant can be extended the benefit of anticipatory bail.

6. Accordingly, anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
JUDGE