NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7166 of 2015

Shailuraj Barai @ Noni s/o. Shri Shadyan Barai, aged about 25 years, by caste – Barai, R/o. Dipka, Police Station and Tahsil Katghora, Civil and Revenue District Korba (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station – Dipka, District – Korba (C.G.)

---- Respondent

For Applicant :- Mr. Nitesh Shrivas, Advocate
For Respondent /State :- Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

22/12/2015

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. 82/2015, registered at Police Station – Dipka, District – Korba (C.G.) for the offence punishable under Sections 457,380 of IPC.

2. Case of the prosecution, in brief, is that a theft was committed on the intervening night of 06-07/07/2015 at Samlai Temple, Dipka District Korba. It is alleged by the complainant that three silver crowns, three silver umbrellas of deity and a donation box of the temple was stolen. Subsequently, on the investigation, the applicant was arrested and from the possession of the applicant the stolen property was seized.

3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that the applicant has not committed any offence only on the suspicion

the he was arrested and the applicant is in jail since 01.11.2015; therefore, he may be enlarged on bail.

4. State counsel opposes the prayer for grant of bail.

5. Having regard to the fact and the nature of offence committed by the applicant and the seizure has already been made from this applicant, therefore, I am not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)
Judge

Santosh