

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7252 of 2015

- Dilip Singh Rajput S/O Pitambar Singh Aged About 25 Years
R/O Banjinpali, Mahrapara, Police Chowki Jutemil, Tahsil &
District Raigarh Chhattisgarh --- **Petitioner**

Versus

- State Of Chhattisgarh Through - Station House Officer, Police
Station Kotwali, Chowki Jutemil, District : Raigarh
Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Ashish Gupta, Advocate
For the Respondent	:	Mr. Vivek Singha, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Istgasha No.247 of 2014 registered at P.S. Kotwali, Chowki Jutemil, District Raigarh (C.G) for the offence punishable under Section 379 IPC.
2. As per the prosecution case, a report was made by one Amit Kumar that on 16.03.2014 he went to his friend's house where he parked his motorcycle which was stolen and subsequently on a report being made, the investigation was conducted and the motorcycle was recovered from the possession of this applicant.
3. Learned counsel for the applicant submits that he has been falsely implicated in this case as seizure was made in different case. He further submits that the applicant was arrested in other case wherein he was falsely inculpated and on production warrant, he was produced and the seizure was shown to be made in this case. He submits that the

applicant is in jail since 13.08.2014 and looking to the period of detention, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the case diary statements and charge sheet.
6. Considering the documents and the charge sheet, it appears that the motorcycle was seized at the instance of this applicant. Further the documents would show that earlier also the applicant was involved in other similar type of offence.
7. Considering the fact that the applicant was involved in similar time of offence, I am not inclined to release the applicant on bail. Accordingly, it is dismissed.

Sd/-

**GOUTAM BHADURI
JUDGE**