

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3266 of 2015**

- Devi Kumar @ Deviprassad, S/o Sumendram Rathor, Aged about 26 years, R/o Sivni, P.S.-Champa, District Janjgir-Champa (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through the Police Station Champa, District Janjgir-Champa (C.G.)

---- Non-applicant

For Applicant: Shri Arun Kochar & Shri Ravi Bhagat,
Advocate.

For Non-Applicant/State: Shri Suvigya Awasthi, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/07/2015**

Heard.

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 44/2015 registered at Police Station Champa for the offences punishable under Sections 394 & 458/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is alleged to have snatched golden chain from complainant -Dhanaibai Rathore on 19.02.2015 and thereby committed the aforesaid

offences.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the crime in question as he has not committed any offence. He further submits that applicant is in jail since 19.02.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that the stolen article i.e. golden chain has been recovered from the possession of the applicant and, therefore, he is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; and the manner in which applicant snatched the golden chain from the house of the prosecutrix by entering into her house; I am not inclined to release the applicant on bail. Therefore, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

