

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 652 of 2015

Tulsi Soni S/o Late Santram Soni Aged About 45 years Caste Sonar, R/o Village Patthalgaon, Thana & Tahsil - Patthalgaon Civil & Revenue Distt. Jashpur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station - Patthalgaon, Civil & Revenue Distt. Jashpur Chhattisgarh

---- Respondent

Shri Sunil Sahu, counsel for the applicant/s.
Ms. Shubha Shrivastava, Panel Lawyer for the State.

Order On Board

31/07/2015

Heard.

The applicant is apprehending his arrest in connection with Crime No.112/15 registered at police station – Patthalgaon, Distt.-Jashpur, CG for alleged commission of offence under Section 392, 411 of IPC.

2. Prosecution case is that the applicant purchased gold ornaments knowing to be stolen articles.

3. Learned counsel for the applicant submits that as far as present applicant is concerned, even according to the memorandum of the co-accused, he is not involved in the alleged offence. The only role is that he is alleged to have purchased the stolen articles.

4. On the other hand, learned State counsel submits that the allegation of commission of offence under Section 411 IPC against the applicant is prima facie made out and at this stage, instead of surrendering and allowing his search to recover the looted articles, the applicant has filed application for anticipatory bail. It is submitted that the offence under Section 411 IPC is non-bailable in nature.

5. Taking into consideration the submission of learned counsel for the parties, particularly looted articles is alleged to be sold to the applicant and therefore, applicant's custodial interrogation is necessary to recover the stolen articles, the application is rejected.

**Sd/-
Manindra Mohan Shrivastava
Judge**

Deepti