

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3854 OF 2015**

Mukesh Gupta, S/o Baldev Gupta, aged 42 years, Caste Rouniyaar, R/o Village-Duldula, Police Station-Duldula, District Jashpur (CG)

---Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station-Duldula, District Jashpur (CG)

---Non-applicant

For Applicant	:	Mr. Malay Shrivastava, Advocate
For-Non-applicant	:	Mr. Vivek Shinghal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/08/2015**

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.17/2015, registered at Police Station-Duldula, District-Jashpur (C.G.), for the offence punishable under Sections 454 and 380 of the IPC.

2. Case of the prosecution, in brief, is that, the applicant and co-accused persons are said to have stolen ear rings, Rs.10,500/- and silver ornaments from the house of complainant Prabha Devi and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. Nothing has been recovered from him and he is in jail since 25.6.2015.

4. Learned State counsel would oppose the prayer for grant of bail

and submit that eyewitnesses Sudeep Kumar Bhagat and Sikandar Ram have seen the applicant breaking the lock and entering into the house of complainant Prabha Devi.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; material collected on behalf of the prosecution and testimonies of the eyewitnesses, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-