

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4297 OF 2015**

Pappu @ Lila Ram S/o Shri Ghunaru Suryawanshi, Aged about 27 years, R/o Village Pangaon PS Pamgarh Distt. Janjgir -Champa (C.G.)

---Applicant

Versus

State of Chhattisgarh, Through Police Station Pamgarh, District Janjgir-Champa (C.G.)

---Non-applicant

For Applicant	:	Mr. V. C. Ottalwar, Advocate.
For-Non-applicant	:	Mr. Anant Bajpai, and Mr. Siddharth Rathore, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****25/08/2015**

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. 46/2015, registered at Police Station Pamgarh Distt. Janjgir-Champa (C.G.), for the offence punishable under Sections 457, 380, 411, 34 of I.P.C.

2. Case of the prosecution, in brief, is that, applicant and five other co-accused persons alleged to have stolen gold ornaments and cash Rs. 11,000/- from the house of Horilal Nat in the intervening night of 26-27/02/2015 and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that stolen property has not been identified. He would lastly submit that charge sheet has been filed and applicant is in jail

since 21/04/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that Test Identification Pared was conducted and the property was identified to be Horilal Nat.

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 by the prosecution against the applicant; property being identified and recovery has been made by present applicant, 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