

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6179 of 2015

1. Nikhil Rao, S/o. Shri Gulab Rao, Aged About 20 Years, R/o. Shitla Para, Ward No.17, Navapara, P.S. Gobra Navapara, District (Revenue) Gariyaband, District (Civil) Raipur, Chhattisgarh.
2. Dinesh Kumar Sahu, S/o. Shri Narayan Sahu, Aged About 19 Years, R/o. Shitla Para, Ward No. 18, Navapara, P.S. Gobra Navapara, District (Revenue) Gariyaband, District (Civil) Raipur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through: Station House Officer, Rajim,
District Gariyaband, Chhattisgarh.

---- Respondent

For Applicants : Mr. Yogesh Pandey, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.227/2014 registered at Police Station- Rajim, District Gariyaband (C.G.) for the offence punishable under Section 457, 380, 511, 427 of Indian Penal Code and Section 3 & 4 of the Prevention of Damage to Public Property Act, 1984.
2. Case of the prosecution, in brief, is that the applicant alongwith other co-accused tried to steal the currency notes by cutting the ATM by Gas cutter and due to which some of the currency notes were burn. Subsequently, the report was made and after investigation the applicants have been arrested.

3. Learned counsel for the applicants submits that the applicants have not committed any offence. He further submits that nothing has been seized from these applicants except the Gas cutter and therefore they may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. The charge sheet in this case has been filed. Considering the statement of the witnesses and the seizure made and taking into account the gravity of offence and the way it has been committed, I am not inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge