

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 2554 OF 2015**

Rakesh Yadav S/o Lakhan Lal Yadav, aged about 30 years, R/o Gandhi Chowk, Korba, P.S.-Korba, Civil & Revenue Distt.Korba (CG)

---Applicant

**Versus**

State of Chhattisgarh, through S.H.O., Police Station-Kotwali, Distt.Korba (CG)

---Non-applicant

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|-------------------|---|----------------------------------------------------------|
| For Applicant     | : | Mr. Awadh Tripathi with Mr.Sanjeev Banjare,<br>Advocate. |
| For-Non-applicant | : | Mr. Lav Sharma, Panel Lawyer                             |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****20/07/2015**

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.405 of 2014, registered at Police Station-Kotwali, Distt.Korba (C.G.), for the offence punishable under Sections 454, 380 and 411/34 of the IPC.
2. Case of the prosecution, in brief, is that, the applicant has stolen the total worth of Rs.1,30,000/- from the house of complainant Gopal Agrawal and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that he has not committed any offence and he has been falsely implicated in crime in question. He is in custody since 24.8.2014 and charge-sheet has already

been filed.

4. On the other hand, learned State counsel would oppose the bail application and submit that stolen article has been recovered from the possession of the applicant.

5. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence and the fact that stolen article has been recovered from the possession of the applicant, this Court is not inclined to release the applicant on regular bail.

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

**Sd/-**  
**(Sanjay K. Agrawal)**  
**JUDGE**