

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3082 of 2015

1. Manoj Baaj s/o. Juthu Ram Baaj aged about 21 years, r/o. Danteswari Ward, Jagdalpur, PS. Jagdalpur, District Bastar (CG), Civil and Revenue Distt. Bastar (CG).

---- Applicant

Versus

1. State of Chhattisgarh Through P.S. Bhanpuri, Tahsil Jagdalpur, District Bastar (CG), Civil and Revenue Distt. Bastar (CG).

---- Respondent

For Applicant	:	Mr. Vikash A. Shrivastava, Advocate.
For Respondent/State	:	Mr. Qamrul Aziz, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

6/7/2015

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 20-3-2015 in connection with Crime No. 142 of 2015 registered at Police Station Bhanpuri, District Bastar (CG), for the offence punishable under Sections 457, 380, 411/34 of the IPC.
2. The case of the prosecution is that the present applicant along with other co-accused after breaking down the shutter of shop of the complainant had stolen one Mobile phone and thereby he committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that the present applicant has not committed any offence and he has been falsely implicated in the instant. He would further submit that the charge-sheet has been filed in the case and the applicant is in jail since 20-3-2015, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposing the bail application would submit that the stolen mobile phone has been recovered from the possession of the applicant, therefore, he is not entitled to be released on bail.
5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, material collected by the prosecution, the manner in which the applicant is said to have committed the aforesaid offence and seizure of mobile phone has been made from the present applicant, I am not inclined to grant bail to the applicant.
7. Accordingly, the instant bail application is liable to be and is hereby rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

Raju