

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3197 of 2015**

Bhagwat Nirmalkar S/O Budhram Nirmalkar, aged about 55 years R/o - Koshtapara, Dhamtari, Post Office & Police Station - Dhamtari District Dhamtari Chhattisgarh

---- Applicant

**Versus**

State Of Chhattisgarh through the Station House Officer, Police Station - Arjuni, District Dhamtari Chhattisgarh

---- Respondent

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For Applicant: Shri Shivendu Pandya, Advocate.  
For Non-Applicant/State: Smt. Madhu Nisha Singh, Panel Lawyer

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board By****13/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.13/2015 registered at Police Station – Arjuni, District-Dhamtari for the offences punishable under Sections 379 & 411/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is alleged to have purchased stolen property i.e. Gold locket amounting to ₹ 5,000/-, which is said to be owned by complainant – Smt. Durgesh Bai and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 15.01.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; and the material collected by the prosecution; and the manner in which the offence is said to have been committed, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-  
(Sanjay K. Agrawal)  
Judge

D/-