

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3638 of 2015

1. Rajendra Jayswal, S/o Shri Chandramani Jayswal, aged about 18 years, R/o Village Khokharama, Thana & Tahsil Gharghoda, Civil & Revenue District Raigarh (C.G.)
2. Tuleshwar Chouhan, S/o Shri Mohan Chouhan, aged about 24 years, R/o Village Khokharama, Thana & Tahsil Gharghoda, Civil & Revenue District Raigarh (C.G.)
3. Rajkumar Manjhwar, S/o Gangaram, aged about 32 years, R/o Village Khokharama, Thana & Tahsil Gharghoda, Civil & Revenue District Raigarh (C.G.)

---- Applicants

Versus

The State of Chhattisgarh, Through the Station House Officer, Police Station Gharghoda, District Raigarh (C.G.)

---- Non-applicant

For Applicants:	Mr. Sunil Sahu, Advocate.
For Non-applicant:	Mr. Lav Kumar Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board03/08/2015

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.159/2015, registered at Police Station Gharghoda, Distt. Raigarh, for the offence punishable under Section 379 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicants are alleged to have stolen 90 Kgs. of copper wire amounting to Rs.50,000/- from TKN Power Plant, Raigarh on 18-6-2015.
3. I have heard learned counsel for the parties and perused the case diary.
4. Learned counsel for the applicants submits that the applicants have not

committed any offence, they have been falsely implicated in the case and they are in custody since 19-6-2015. Charge sheet is yet to be filed.

5. On the other hand, learned State counsel opposes the application and submits that the copper wire has been recovered from the possession of the applicants.
6. Taking into consideration the nature and gravity of offence, recovery of copper wire from the possession of the applicants and the material collected on behalf of the prosecution, I do not consider it a fit case for grant of regular bail to the applicants. The application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge