

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 4044 OF 2015**

1. Hari Singh, aged about 22 years, S/o Govind Singh Gond, R/o Village Dadar, Kodwari Para, Thana Pali, Tahsil Pali, District Korba (CG)
2. Vishnu S/o Govind Singh Gond, aged about 19 years, R/o Village Dadar, Kodwari Para Thana Pali, Tahsil Pali, District Korba (CG)

---Applicants

Versus

State of Chhattisgarh, through Station Incharge, Police Station Katghora, District Korba (CG)

---Non-applicant

M.Cr.C.No. 4052 OF 2015

1. Santlal S/o Ram Lal Yadav, aged about 35 years, R/o Village Laripara, Rajkamma, Thana Katghora, Tahsil Katghora, District Korba (CG)
2. Sukalu Ram S/o Ram Sai, Aged about 30 years, R/o Village Laripara, Rajkamaa, Thana Katghora, Tahsil Katghora, District Korba (CG)

---Applicants

Versus

State of Chhattisgarh, through Station Incharge, Police Station Katghora, District Korba (CG)

---Non-applicant

And**M.Cr.C.No. 4051 OF 2015**

1. Sugandh Singh, aged about 19 years, S/o Satyanarayan Singh Gond, R/o Laripara Rachkamma, Tahsil Katghora, District Korba (CG)
2. Naresh S/o Dhvajaram, Caste Gond, aged about 22 years, R/o Malda, Tahsil & Thana Katghora, District Korba (CG)

---Applicants

Versus

State of Chhattisgarh, through Station Incharge, Police Station Katghora, District Korba (CG)

---Non-applicant

For Applicants	:	Mr. Arvind Shrivastava, Advocate.
For-Non-applicant	:	Mr. Vivek Shinghal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

17/08/2015

1. Since the aforesaid three bail applications have been filed against the same crime number i.e. Crime No.7/2015, they are being disposed of by this common order.
2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 7/2015, registered at Police Station-Katghora, District-Raigarh (CG), for the offence punishable under Sections 379 and 120B of the IPC.
3. Case of the prosecution, in brief, is that, the present applicants are said to have stolen aluminum wire worth Rs.25,00,000/- from tower line owned by Kalptaru Power Transmission Company Limited and thereby committed the aforesaid offence.
4. Learned counsel for the applicants would submit that applicants have not committed any offence and they are in jail since 11.1.2015. He would further submit that seized wires do not relate to the offence in question, as such, they have been falsely implicated in crime in question and the charge-sheet has already been filed, therefore, they may be released on regular bail.
5. Learned State counsel would oppose the prayer for grant of bail and submit that from the possession of the present applicants, bundle of

wires have been seized in the instant crime in question.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; recovery from the possession of the present applicants and the manner in which huge quantity of costly electric wires were stolen, this Court is not inclined to release the applicants on regular bail.

8. Accordingly, bail applications filed under Section 439 of the Cr.P.C. are rejected.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-