

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4275 OF 2015**

Ganeshram S/o Late Kartikram Patel, aged about 32 years, R/o village Singansara, Tahsil Sakti, Police Station Sakti, Civil and Revenue District Janjgir-Champa (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through Station House Officer Out Post Kharsiya, Police Station Kharsiya, District Raigarh (C.G.).

---Non-applicant

For Applicant	:	Mr. Dharmesh Shrivastava, Advocate.
For-Non-applicant	:	Mr. Lav Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****24/08/2015**

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 Ishtgasa No. 12/2015, registered at Police Station Kharsiya (Out Post Kharsiya), District Raigarh (C.G.), for the offence punishable under Section 379/34 of I.P.C. & 14 (1-4) of Cr.P.C.

2. Case of the prosecution, in brief, is that, present applicant is alleged to have stolen motorcycle owned by Tarachand Patel and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that applicant is in jail since 04/07/2015 and no useful purpose would be served by keeping him in jail, therefore, he may be

released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that motorcycle in question has been seized from the possession of present applicant.

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; material collected by the prosecution against the applicant and the fact that motorcycle has been seized from the possession of present applicant, this Court is not inclined to release the applicant on regular bail.

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

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari