

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4747 of 2015**

Ravi Yadav, Age about 25 Years, S/o Shri Govind Yadav, R/o Junigaj, Bilaspur Thana, City Kotwali, At present R/o Infront of A.M.W. Company, Raipur Bilaspur Road, District (Revenue & Civil)-Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Urla, District-Raipur (CG)

---Non-applicant

For Applicant	:	Mr. Yogesh Pandey, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy.Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/09/2015**

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 Crime No.134/2015, registered at Police Station- Urla, District-Raipur (C.G.), for the offence punishable under Sections 407, 420 and 411/34 of the IPC.
2. Case of the prosecution in brief, is that the applicant was found in possession of 400 kg. of stolen iron rod and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that in Crime No.134 of 2015 offence under Section 379 of the IPC has not been registered, he is only scrap-dealer and the persons who are accused in the offence have not been arrested and the present applicant has wrongly been implicated in the present crime, he is in jail

since 12.8.2015 and no useful purpose would be served by detaining him in jail. He would also submit that the applicant is a bonafide purchaser and purchased the goods after verifying the purchase voucher from other co-accused persons and therefore, he may be enlarged on bail.

4. On the other hand, learned State counsel would oppose the bail application.

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 and recovery of stolen article from the possession of the present applicant, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.

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

8. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-