

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4955 OF 2015**

Pappu Mishri Lal S/o Shri Ram Prasad Aged-about 35 years, R/o Village
Lamidah, Thana Sarai, Distt. Singrouli [M.P.]

---Applicant**Versus**

State of Chhattisgarh, Through District Magistrate, Durg, Distt.-Durg [C.G.]

---Non-applicant

For Applicant	:	Mr. Jitendra Shrivastava, Advocate.
For-Non-applicant	:	Ms. Madhu Nisha Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****21/09/2015**

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. 219/2015, registered at Police Station Bhilai-3, Distt. Durg [C.G.], for the offence punishable under Sections 457, 380 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, in the intervening night of 17-18/05/2015, applicant along with other co-accused stolen gold and silver articles worth Rs. 4,55,000/- from the shop of V.K. Jain, Bhilai and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that applicant is in jail since 28/05/2015 and no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed, therefore, he may be released on

bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that recovery of stolen article has been made from the present applicant, which has been identified by owner of the articles.

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; recovery of stolen article has been made from the present applicant, which has been identified by owner of the articles, 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