

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M. Cr. C. No. 5092 OF 2015**

Dhiraj Singh S/o Atibal Singh aged about 38 years, by caste Kshatriya, R/o Village Bankimongra, Police Station Bankimongra, District Korba (C.G.)

---Applicant

**Versus**

State of Chhattisgarh, Through: Station House Officer, Police Station Bankimongra, District Korba (C.G.)

---Non-applicant

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|-------------------|---|------------------------------------|
| For Applicant     | : | Mr. Nitesh Shrivastava, Advocate   |
| For Non-applicant | : | Mr. Anil S. Pandey, Govt. Advocate |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****06/10/2015**

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. 74/2015, registered at Police Station Bankimongra, District Korba (C.G.), for the offence punishable under Section 379 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that, present applicant along with other co-accused persons are alleged to have stolen two tones coal owned by SECL and thereby committed offence.

3. After hearing learned counsel appearing for the parties and taking into consideration the facts and circumstances of the case; nature and gravity of offence; role of the applicant in offence in question and criminal antecedent of the applicant, his case being distinguishable from the co-accused whose

bail application has been allowed, this Court is not inclined to release the applicant on regular bail.

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

5. Certified copy as per rules.

Sd/-  
**(Sanjay K. Agrawal)**  
**JUDGE**

Tiwari