

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5274 of 2015**

Santu Lal Banjare S/o. Khullu Lal Banjare, aged 55 years, R/o. Jarhabhata,
P.S. Civil Lines, Bilaspur, Tehsil and Dist.Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh Through: Station House Officer, P.S. Civil Lines,
Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr. Ajay Ayachi, Advocate
For Non-applicant	:	Mr. O.P.Sahu, Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

05/10/2015

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.351/2015, registered at Police Station-Civil Lines, Bilaspur, District-Bilaspur (C.G.), for the offence punishable under Sections 457, 380 and 411 of the IPC.
2. Case of the prosecution, in brief, is that the applicant is alleged to have stolen the property from Haribhoomi Press on 8.7.2015 and thereby committed the aforesaid offences.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case. He would further submit that the applicant is scrap-dealer, stolen property has not been recovered from him and it was not found in his possession. He is in jail since 16.7.2015 and charge-sheet has already been filed and therefore, he may be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that stolen property was found in possession of the 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; the manner in which the applicant is alleged to have stolen the property from Haribhoomi Press and his role in crime in question, I am of the view that it is not a fit case to enlarge the applicant 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/-