

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5607 of 2015

Ghanshyam Rajau, aged about 21 years, S/o Late Dukhram, By Caste
 Dhobi, R/o Village Sambalpur, Thana Bhanupratappur, Distt. U.B. Kanker
 ---- Applicant

Versus

The State of Chhattisgarh, through Police Station Bhanupratappur, Distt.
 U.B. Kanker
 ---- Non-applicant

For Applicant:	Mr. Parag Kotecha, Advocate.
For Non-applicant:	Mr. Suvigya Awasthi, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/10/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.16/2015, registered at Police Station Bhanupratappur, Distt. Uttar Bastar Kanker, for the offence punishable under Section 379 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant being driver of the complainant's four wheeler Scorpio in collusion with co-accused Kaviraj allegedly sold the same and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has falsely been implicated in the case, it is co-accused Kaviraj who has sold the vehicle, as the applicant is faithful to his owner. The applicant is in jail since 10-9-2015.
4. On the other hand, learned counsel for the State opposes the bail application and submits that in collusion with Kaviraj the applicant and other co-accused have sold the vehicle.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant and the material collected by the prosecution, I am not inclined to grant regular bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge