

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C No. 5577 of 2015**

1. Basant Sahu, son of Mohan Sahu, aged about 27 years, resident of T.I. Bungalow, Devpuri, Police Station-Tikrapara, District Raipur (C.G.)
2. Sonu @ Rishikesh Behra, aged about 23 years, son of K.R. Behra, resident of Sejbahar, Police Station-Sejbahar, District Raipur (C.G.)

---- Applicants**Versus**

State Of Chhattisgarh Through : the Station House Officer,
Police Station Sejbahar, Raipur, District-Raipur (C.G.)

---- Non-applicant

For Applicant: Mr. Lalit Jangde, Advocate.
For Respondent/State: Mr. Anil S. Paney, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/10/2015**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 85/2015 registered at Police Station Sejbahar, Raipur, District -Raipur (C.G.) for the offence punishable under Section 379/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicants are said to have stolen 75 meter M.M. Copper Wire held by L & T Company, Kamal Vihar Project in the intervening night of 16/17.09.2015 amounting to Rs. 20,346/- and thereby committed the aforesaid offences.

(3) Counsel for the applicants submits that applicants have been falsely implicated in the offence in question as nothing has been seized from the possession of the applicants. He further submits that applicants are in jail since 18.09.2015 and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State submits that copper wire and cable cutter have been seized from the possession of the applicants.

(5) Taking into consideration the facts & circumstances of the case; and the manner in which applicants are said to have stolen 75 meter M.M. Copper Wire owned by L & T Company, Kamal Vihar Project and consequent recovery from them, I am not inclined to release the applicants on bail. Thus, the bail application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

