

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.401 of 2016

Ramsingh Sidar, S/o Barat Ram, aged about 30 years, Caste Gond, R/o Vill. Budiya, Thana Tamnar, District Raigarh (C.G.), Civil and Revenue District Raigarh, Distt. Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, P.S. Kunkuri, Distt. Jashpur (C.G.)

---- Non-applicant

For Applicant:	Mr. Manoj Chauhan, Advocate.
For Non-applicant:	Mr. Ajit Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

03/02/2016

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.69/2015, registered at Police Station Kunkuri, Distt. Jashpur for the offence punishable under Sections 379 and 436 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant along with two co-accused persons stolen the truck owned by Md. Jamat and burnt the truck and thereby committed the afore-stated offences on 6-5-2015.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime, offence has been committed by other co-accused, no seizure has been made from the present applicant and no memorandum of

the applicant has been recorded by the prosecution. The applicant is in jail since 4-10-2015 and charge-sheet has been filed.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case and the manner in which the truck has been stolen and burnt by the applicant along with other co-accused persons, I am not inclined to grant bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma