

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.509 of 2016

Aakash Kumar Miri, S/o Shri Kaushal Prasad Miri, aged about 22 years,
R/o Village Kothari, Police Station Urga, Civil & Revenue Distt. Korba
(C.G.)

---- Applicant

Versus

State of Chhattisgarh, through S.H.O., Police Station Urga, Distt. Korba
(C.G.)

---- Non-applicant

For Applicant:	Mrs. Anusuiya Rajput, Advocate.
For Non-applicant:	Mr. Ajit Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/02/2016

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.363/2015, registered at Police Station Urga, Distt. Korba for the offence punishable under Sections 457 and 380 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant has stolen electric and other articles from the house of complainant Devendra Dhairya and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence, he has been falsely implicated in the case, there are no criminal antecedents of the applicant and charge-sheet has not been filed. The applicant is in jail since 26-12-2015.
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, the manner in which the applicant is said to have stolen cellphone and other articles from the house of the complainant and consequent recovery, I am not inclined to grant bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma