

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3797 of 2016

1. Laxminarayan Dhruw, S/o. Gurbalsingh Dhruw, aged about 31 years,
R/o. Saila, Police Station – Pali, District – Korba (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station
– Pali, District – Korba (C.G.)

---- Respondent

For Applicant : Mr. Wasim Miyan, Advocate

For Respondent/State : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/07/2016

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.62/2016, registered at Police Station – Pali, District – Korba (C.G.) for the offence punishable under Section 379 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 01.03.2016, motor cycle of one Shiv Kumar was stolen for which a report was made. Subsequently, the applicant was travelling in the motor cycle bearing No.C.G.-12-G-6646, he was intercepted and when it was found that the applicant did not have any valid documents and thereafter, he was arrested and it was found, the motor cycle belonged to Shiv Kumar, which was stolen.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the seizure was not made in

person from the applicant. It is further submitted that the applicant is in jail since 10.03.2016, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Perusal of the document prima-facie shows that from the possession of the applicant motor cycle was seized. Considering the fact and the degree of allegation levelled against the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge