

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7130 of 2015**

Rahul @ Laxman S/o. Krishna Gond, Aged about 19 years, R/o. Village Bikebahara, P.S. Bhimkhoj, District Mahasamund (C.G.)

**---- Applicant**

**Versus**

State of Chhattisgarh Through Station House Officer, Police Station City Kotwalil, Raigarh District Raigarh (C.G.)

**---- Respondent**

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| For Applicant         | :- | Mr. Shailendra Dubey, Advocate |
| For Respondent/ State | :- | Ms. Sunita Jain, Panel Lawyer  |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board By**

**05/01/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 968/2014 registered at Police Station- City Kotwali, Raigarh (C.G.) for the offence punishable under Sections 379 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 10.12.2014 a report was lodged by one Ashok Singh alleging that he had withdrawn an amount of Rs. 7,40,000/- from State Bank of India, main branch Raigarh and kept in a bag which taken away by the applicant. Subsequently, on the report of the complainant a case was registered and the recovery was made from the present applicant.
3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He submits that

charge sheet in this case has been filed and the applicant is in jail since 04.07.2015 and there is no directed evidence is available against this applicant, therefore he may be released on bail.

4. State counsel opposes the prayer for grant of bail and submits that against this applicant three cases have been registered under section 379 of IPC, first case was registered in Kurud which was theft of Rs. 8 lakhs, second case of theft was registered in Janjgir of Rs. 1 lakh and the third case was registered in Chandarpur of Rs. 55,000/-. She further submits that in the cases of Kurud and Janjgir, the applicant was acquitted from the charges and has placed on record the order after verification and with respect of Chandrpur no document is placed.
5. Considering the past antecedences of the applicant as he was involved in the similar nature of offence and the fact that the applicant is habitual offender of theft, this Court is of the opinion, that present is not a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application is dismissed.

Sd/-  
**(Goutam Bhaduri)**  
Judge