

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2686 of 2016

- Sukhiram Ratre S/o Shri Ramu Ratre Aged About 35 Years R/o Village Dhandhan Police Station Takhatpur, Distt. Bilaspur Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through S.H.O. Lormi, Distt. Mungeli Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Dhirendra Pandey, Advocate
For the Respondent	:	Mr. Shobha Kashyap, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 426 of 2015 registered at P.S. Lormi, Distt. Mungeli (C.G) for the offence punishable under Sections 379 & 420 IPC.
2. As per the prosecution case, a report was made by one Kamal Prasad Dhritlahre that on 15.09.2015 that he had gone to Janpad Panchayat Lormi alongwith Panch namely Kushwir on his Motor cycle bearing Regn.No.C.G.10-EN/9577 and parked the vehicle in front of Office of Janpad Panchayat. When he returned from the office of Janpad Panchyat, his motorcycle was found stolen. On the report made investigation was conducted and the motorcycle was recovered from the applicant. The allegation is that after committing theft of motorcycle, the original registration number C.G.10-EN/9577 is changed by the applicant by

placing another registration number i.e., C.G. 10-EM/8125, thereby the offence is committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and further different seizure has been shown from the applicant so as to falsely implicate him in this case. It is also submitted that the other co-accused have been enlarged on bail and the charge sheet has been filed in this case and looking to the period of detention, the applicant may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents. The seizure memo shows that as many as 10 motorcycles and 1 Scooty were recovered from the possession of the applicant and these were all said to be stolen vehicles.
6. Considering the number of vehicles seized from the possession of the applicant, it appears that he is an habitual offender, therefore, I am not inclined to release him bail. Accordingly this bail application is rejected.

Sd/-
GOUTAM BHADURI
JUDGE