

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 681 of 2016**

Mohammad Irfan, S/o Mohammad Mustak, Aged about 22 years, Occupation-Hotel Business, R/o Jamgaw Kolaibhal, P.S. Chakradhar Nagar, Tah. & Distt. - Raigarh (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through : Police Station
-Chakradhar Nagar, Tah. & Distt. - Raigarh (C.G.)

-----Non-applicant

For Applicant: Mr. R.C. Shukla, Advocate.
For Respondent/State: Mr. Dhiraj Kumar Wankhede, GA

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/02/2016**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 179/2015 registered at Police Station Chakradhar Nagar, Tah. & Distt.- Raigarh for the offences punishable under Sections 457, 380 & 414 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant and other co-accused persons have stolen gold and silver ornaments by entering into the house of complainant unauthorisedly and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in

detention since 12.09.2015 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; and manner in which the offence of theft is said to have been committed by the applicant; and the stolen articles have been recovered from his possession , I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-