

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 944 of 2016**

Atma Ram, aged about 22 years, son of Shri Babulal Choudhari, Agricultural by Occupation resident of Village NAGUA, Police Station Rajendragram, Tehsil Pushparajgarh, Civil and Revenue District Anuppur, Madhya Pradesh

---- Applicant

Versus

State Of Chhattisgarh Through: The Officer-in-Charge of Police Station Sarkanda, Tehsil Bilaspur, Civil and Revenue District Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant : Shri Preetam Tiwari, Advocate

For Non-applicant/State: Shri Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****03/03/2016**

Heard.

(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.97/2015 registered at Police Station Sarkanda, District Bilaspur (C.G.) for the offences punishable under Sections 457 & 380 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant stolen wine and Rs. 38,000/- cash from the wine shop in the intervening night of 12th/13th March, 2015 and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 14.01.2016 and the charge

sheet has 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, role of the present applicant in the offence in question; and the material available in the case diary against the applicant and the manner in which the offence is said to have been committed by the applicant; 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/-