HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2959 of 2016

Raja @ Rajpal Bandhan, S/o. Late Ramlal Bandhan, Aged About 20 Years, R/o. Behind Police Line, Bapunagar, Raigarh, P.S. City Kotwali, Tahsil & Distt. Raigarh, Civil & Revenue Distt. Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station City Kotwali, Distt. Raigarh, Chhattisgarh

---- Respondent

For Applicant : Mr. Manoj K. Sinha, Advocate

For Respondent : Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.06.2016

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.131/2016, registered at Police Station- City Kotwali, District Raigarh (C.G.) for the offence punishable under Section 379 of Indian Penal Code.

2. Case of the prosecution, in brief, is that on 11.03.2016 a report was made by Raja Yadav that his Motorcycle bearing No.C.G.13 N 4089 was stolen. Subsequently, on investigation, the said Motorcycle was recovered from the present applicant.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in this case, as the Motorcycle was given to him by one of his friend; therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary. Considering the nature of offence and the way it has been committed and further considering the fact that the applicant is in jail since 11.03.2016 and the recovery is made from the applicant, I am not inclined to release the applicant on bail.

6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge

Ashok