

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4010 of 2016

- Raju Singh Gond S/o Phool Singh Gond Aged About 28 Years
R/ Pendradafai Manendragarh Tahsil Manendragarh District
Korea Chhattisgarh Presently R/o Devari Khurd P.S. Torwa
Tahsil Bilaspur Rev. & Civil District Bilaspur Chhattisgarh. ---
Petitioner

Versus

- State of Chhattisgarh through the Police Station Tarbahar,
District Bilaspur (C.G). --- **Respondent**

For the applicant	:	Mr. P.K. Tulsyan, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2016

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. 343/2015 registered at P.S. Tarbahar, Distt. Bilaspur (C.G) for the offence punishable under Sections 380 & 457 of IPC.
2. As per the prosecution case, a theft was committed in the house of one Dinesh Agrawal and certain golden ornaments and other articles including cash worth Rs.7 lakhs were stolen. Subsequently on the report, the investigation was made, the applicant was arrested and from the possession of the applicant the ornaments were recovered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and he has not committed any offence. It is further submitted that the charge sheet in this case has been filed; no further evidence is required and the applicant is in jail since 02.12.2015, therefore, he may be

enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application and would submit that in between the years 2011 and 2016, 5 other cases of like nature have been registered against the applicant and the stolen articles/goods were seized from the possession of the applicant.
5. Considering the facts and circumstances of the case and looking to the previous antecedents of the applicant, I am of the opinion that if the applicant is released on bail, again he would recur the crime. Therefore, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

GOUTAM BHADURI
JUDGE