

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5825 of 2016**

1. Gaukaran Tekam Age 27 Years, S/o Vijay Tekam (Wrongly Written Bijay Tekam in the heading of the impugned order) R/o Village Kaundkera, Police Station Gariyaband, District- Gariyaband, Chhattisgarh.
2. Praveen Kumar Aged About 21 Years S/o Jait Ram Gond, R/o Village Kaundkera, Police Station Gariyaband, District- Gariyaband, Chhattisgarh.
3. Sakendra S/o Ude Ram, Caste Ganda, Aged About 20 Years, R/o Village Kaundkera, Police Station Gariyaband, District- Gariyaband, Chhattisgarh.
4. Umendra Nishad S/o Chhagun Lal Aged About 19 Years, R/o Village Kaundkera, Police Station Gariyaband, District- Gariyaband, Chhattisgarh.

----Applicants**Versus**

State Of Chhattisgarh Through Police Station Gariyaband, District- Gariyaband, Chhattisgarh.

---- Respondent

For applicants - Shri Mohammad Afroz Athar, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order****27/09/2016**

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.78/2016 registered in Police Station Gariyaband, District Gariyaband (C.G.) for offence punishable under sections 457, 380 & 34 of Indian Penal Code.
2. As per the prosecution case, one motorcycle belonging to one Vivek Dewangan was stolen bearing No.CG 07 U 9470 in the month of May 2016 for which a report was made. Subsequently, motorcycle was recovered from one Brijlal. On his memorandum, it discovered that the applicants had stolen motorcycle and given to him for sale. Subsequently, during the investigation it came to fore that the applicants have committed several theft in different places and committed the offence.

3. Learned counsel for the applicants submits that the main allegations have been attributed to Brijlal and the applicants have been falsely implicated. He submits that charge sheet in this case has been filed, no further investigation is necessary, therefore, the applicants may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and went through the memorandum statement of the applicants wherein it revealed that the said motorcycle was stolen by the applicants jointly and which was given to Brijlal.

5. Perused the case diary and the documents. Memorandum also discloses the fact that several theft was committed in the mobile shop and another vehicle was stolen. Taking into such past antecedents and the evidence as the applicants are involved in different cases of similar nature, this court is not inclined to release the applicants on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE