

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4243 of 2016

Ravishankar Jogi, S/o. Soukhilal Jogi, Aged About 20 Years, R/o. Talapara, Bharat Chowk, Bilaspur, P.S. Civil Line, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, P.S. Civil Lines, Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Atanu Ghosh, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.09.2016

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.211/2015 registered at Police Station Sarkanda, Bilaspur (C.G.) for the offence punishable under Section 379/34 of Indian Penal Code.
2. As per the prosecution case, on 22.05.2015 a motorcycle of one Ravi Mishra was stolen when it was parked outside of his house. Subsequently, one Ravishankar Jogi was arrested and it reveals that the applicant along-with the said Ravishankar Jogi has stolen the motorcycle and the same was recovered subsequently from the co-accused.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and the recovery was not made from the present applicant, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that as per the information no previous case is registered against the present applicant.
5. Learned counsel for the applicant fairly submits that earlier also on two occasion, the bail application was filed for the like nature of offence.
6. Perused the case diary and the documents. Considering the nature and gravity of offence and the fact that earlier also the similar nature of offence has been registered against the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge