

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4947 of 2016

1. Awadhram Alias Bedu Tandan S/o Derhu Prasad Aged About 23 Years R/o Bagbahara, Thana/ Tahsil Bagbahara, District Mahasamund Chhattisgarh.
2. Laxminarayan @ Aadity S/o Mayaram Madhukar Aged About 28 Years R/o Village Charaudabandh, Thana Khallari Tahsil Bagbahara, District Mahasamund Chhattisgarh. --- **Applicants**

Versus

State of Chhattisgarh Through Station House Officer, Police Station Bagbahara, District Mahasamund Chhattisgarh. --- **Respondent**

For the applicants	:	Mr. Vikash Pradhan, Advocate
For the Respondent	:	Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30.08.2016

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. 76/2016 registered at P.S. Bagbahara, Distt. Mahasamund (C.G) for the offence punishable under Section 457, 380/34 of IPC.
2. As per the prosecution case, a report was lodged by complainant Prabhas Kumar that in the intervening night of 1st & 2nd May, 2016 a theft was committed in his house and various household articles like Bajaj Mixi, Induction stone, cylinder, mobile phone etc., worth Rs.28,000/- were stolen. Subsequently the applicants were arrested on 25.5.2016 and on their memorandum, the goods were recovered which have been identified by the complainant.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated and only on the basis of a memorandum, the applicants have been inculpated in 3

cases, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary.
6. Considering the fact that the goods which were stolen by the applicants have been identified by the complainant after its recovery, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

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