

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C. No. 5408 of 2016**

1. Vikram Singh, S/o. Chhotelal Singh, aged about 32 years,
2. Rajendra Singh, S/o. Chhotelal Singh, aged about 30 years.

Both are R/o. Chhoti Bazar, New Mines Quarter, Chirmiri, Police Station Chirmiri, Tahsil – Khadgawa, District – Korea (C.G.)

**----Applicants**

**Versus**

1. State of Chhattisgarh, Through : Station House Officer, Police of Police Station – Chirmiri, District – Korea (C.G.)

**---- Respondent**

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For Applicants : Mr. Anil Gulathi, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

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**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, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.192/2016, registered at Police Station – Chirmiri, District – Korea (C.G.) for the offence punishable under Section 457, 380 R/w. 34 of Indian Penal Code.
2. Case of prosecution in brief is that on 06.06.2016 a theft was committed in the house of Santosh Kumar and camera, mobiles and certain ornaments were stolen. Subsequently, the applicants were arrested and from their possession, goods were recovered, which were further identified by the complainant.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. He further submits that charge-sheet in this case has been filed and no further investigation is required and the applicants are in jail since 18.07.2016, therefore, the counsel prays that the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary, documents. Perusal of the documents prima-facie shows that at the instance of the applicants, ornaments which was stolen were recovered, which were identified by the victim. Considering the same, I am not inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge