

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6584 of 2016

- Mahesh Sahu S/o Munna Lal Sahu Aged About 20 Years R/o Bandhawapara, Thana Sarkanda, Tehsil & District Bilaspur, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Line, Bilaspur District Bilaspur, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Sanjay Patel, Advocate

For Respondent/State : Mr. Vivek Singrhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25-10-2016

1. This is 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 on 10-3-2016 in connection with Crime No. 218 of 2016 registered at Police Station Civil Line, Bilaspur, District Bilaspur (CG) for the offence punishable under Section 379 of the IPC.
2. As per the prosecution case, on 10-3-2016 a report was made by complainant Ranjit Singh Ahluwalia that he parked his vehicle (Activa) bearing registration No. CG-10-EE-3248 in front of Mahima Tower Complex which was stolen. Subsequently, the applicant was apprehended and the said vehicle was recovered from the applicant and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and no seizure was made from the present applicant and seizure was made from some other person. He would further submit

that the charge-sheet has been filed in this case and the applicant is in jail since 10-3-2016, therefore, he may be released on bail

4. Per contra, learned State counsel opposes the bail application and would submit that seizure of the vehicle bearing registration No. CG-10-EE-3248 was made from the applicant and similar nature of case is also registered in Crime No.37 of 2015 against the applicant, therefore, he is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the case diary and other documents which would show that seizure was made from the applicant.
6. Taking into consideration the facts of the case, nature of offence and further considering the fact that similar nature of case is also registered against the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed by the applicant under Section 439 of the Cr.P.C, is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju