

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6996 of 2016

- Sukhiram Ratre S/o Shri Ramu Ratre, Aged About 35 Years R/o Village Dhandhan Police Station Takhatpur, District Bilaspur Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh through S.H.O. Lormi District Mungeli Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Dharendra Pandey, Advocate
For the Respondent	:	Mr. Sangharsh Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.11.2016

1. This is second 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. 426 of 2015 registered at P.S. Lormi, Distt. Mungeli (C.G) for the offence punishable under Sections 379 & 420 of IPC.
2. As per the prosecution case, a report was made by one Kamal Prasad Dhritlahre that on 15.09.2015 he had gone to Janpad Panchayat Lormi alongwith Panch namely Kushwir on his Motorcycle bearing Regn. No.C.G.10-EN/9577 and parked the vehicle in front of office. When he returned from the office of Janpad Panchayat, his motorcycle was found stolen. On the report made investigation was conducted and the motorcycle was recovered from the applicant. The allegation is that after committing theft of motorcycle, the original registration number C.G.10-EN/9577 was replaced by another registration number i.e., C.G.10-EM/8125 by the applicant, thereby the offence is committed.

3. Learned counsel for the applicant would submit that the first bail application was dismissed on 28.06.2016 and the applicant is in jail since 07.01.2016 and almost a year is being passed, therefore, the applicant may be enlarged on bail. .
4. Per contra, learned State Counsel submits that the applicant is not entitled to grant of bail in view of his past antecedents.
5. Perused the earlier dismissal order which was passed on merits.
6. Considering the fact that as many as 10 motorcycles and one Scooty was recovered from the possession of the applicant which were accepted to be stolen, in the opinion of this Court, there appears no change of circumstances to reconsider the bail. Therefore, I am inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**