

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7354 of 2016

Rambhola Sisodiya, S/o. Premasagar Sisodiya, Aged About 18 Years, R/o. Village Matiyari, Police Station Sipat, Tahsil & District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer Sipat, District-Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Manoj Kumar Jaiswal, Advocate

For Respondent : Mr. U.K.S.Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24.11.2016

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.194/2016 registered at Police Station- Sipat, District Bilaspur (C.G.) for the offence punishable under Section 41(1-4) Cr.P.C. r/w. 379 of I.P.C.
2. As per the prosecution case, on 28.07.2016 an FIR was lodged by one Laxmikant Anant that his mobile was stolen, thereafter, on investigation the applicant was apprehended and from his possession, 15 mobiles were seized and one of the mobile belongs to Laxmikant, the complainant. Thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and there is no evidence that the present applicant has stolen the mobile, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that total 15 mobiles were seized from the possession of the present applicant and one of the mobile belongs to Laxmikant, the complainant.
5. Perused the case diary and documents. Considering the fact that 15 mobiles were seized like the similar nature from the possession of the applicant, which appears that the applicant is a habitual offender, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge