

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7964 of 2016

- Devesh @ Mukku Yadav S/o Rajeshwar Yadav, Aged About 22 Years R/o Near Sheetla Chowk Banjari Nagar, Police Station D. D. Nagar Raipur Raipur District Raipur Chhattisgarh
--- Applicant

Versus

- State of Chhattisgarh through Police Station D. D. Nagar District Raipur Chhattisgarh
--- Respondent

For the applicant	:	Mr. Manoj Paranjpe, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.12.2016

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. 238/2016 registered at Police Station D.D. Nagar, Distt. Raipur (C.G) for the offence punishable under Sections 454, 380 read with section 34 of IPC.
2. As per the prosecution case, on 04.10.2016, the applicant has committed theft in the house of one Pankaj Kumar and stolen cash of Rs.40,000/- along-with gold ring and an Aadhar Card, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and only the Aadhar card is alleged to have been seized from the applicant. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail and submits that earlier similar nature of case was also registered against the applicant which is evident from the memorandum.
5. Perused the case diary and documents as also the memorandum. A perusal of the memorandum goes to show that the applicant was involved in similar type of offence. It also appears that the stolen Aadhar card is recovered from the possession of the applicant.
6. Taking into such facts and circumstances and the background of the case, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**