

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 8194 of 2016**

- Vikas @ Vicky Choudhary S/o Shri Prabhat Kumar Chaudhary Aged About 19 Years R/o Ravanbatha, Mandirhasaud, Tahsil Arang, District Raipur, Chhattisgarh.

**---- Petitioner**

**Versus**

- State Of Chhattisgarh Through The Police Station Vidhansabha, Raipur, District Raipur, Chhattisgarh

**---- Respondent**

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For Applicant : Mr. P.K. Patel, Advocate

For Respondent/State : Mr. Wasim Miyan, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**21-12-2016**

1. This is first bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 20-9-2016 in connection with Crime No. 211 of 2016 registered at Police Station Vidhansabha, Raipur, District Raipur (CG) for the offence punishable under Sections 454 & 380/34 of the IPC.
2. Case of the prosecution, in brief, is that on 1-8-2016 the applicant entered into the house of complainant Chandrasekhar, had stolen watch, mobile, gold and silver ornaments, house-hold articles and cash. Subsequently, the applicant was arrested and goods were recovered from the present applicant which were identified 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, no seizure has

been made from the present applicant. He would further submit that charge-sheet has been filed, the applicant is in jail since 20-9-2016 and no further investigation is necessary, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail application and would submit that apart from this case, as many as seven cases of the similar nature of theft are registered against the preset applicant, therefore, he is not entitled to be released on bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Taking into consideration all the facts and circumstances of the case, nature of allegations and degree of offence, the evidence available against the applicant and further considering the fact that the stolen goods were recovered from the preset applicant which were identified and also the fact that as many as seven cases of similar nature of offence are to the credit of the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the application filed under Section 439 of the Cr.P.C., is liable to be and is hereby dismissed.

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

Raju