

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 188 of 2017

- Roshan Dhimar S/o Horilal, Aged About 19 Years R/o Qtr. No. 15/4, Atal Awas, Nehru Nagar, Bhilai, Police Station Supela, Bhilai, District Durg Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer Police Station Supela, District Durg Chhattisgarh --- **Respondent**

For the applicant	:	Mr. N.K. Chatterjee, Advocate
For the Respondent	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.1.2017

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. 1048/2016 registered at P.S. Supela, Distt. Durg (C.G) for the offence punishable under Sections 457 & 380 of IPC.
2. As per the prosecution case, in the intervening night of 5th and 6th of November 2016 a theft took place in the house of Ram Naresh Mahto wherein certain ornaments and cash worth Rs.20,000/- and a mobile were stolen. Subsequently the applicant was arrested and from his possession certain seizure was made and one of the stolen ornaments was identified.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated; the charge sheet in this case has been filed and no identification has been made, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.

5. Perused the case diary and documents. It appears that few of the ornaments which were stolen by the applicant have been identified by the complainant. Taking into such fact I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

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