

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 55 of 2017**

Sonu Rana, S/o. Govind Singh Rana, Aged About 28 Years, R/o. Krishna Nagar, Near Durga Mandir, Gudhiyari, Police Station Gudhiyari, District Raipur, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through the S.H.O., Police Station Kumhari, District Durg, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Avinash Chand Sahu, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**18/01/2017**

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.84/2015 registered at Police Station- Kumhari, District Durg (C.G.) for the offence punishable under Section 379, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the complainant Dhaneshwar Sahu made a report on 05.05.2015 alleging that his motorcycle bearing No.C.G. 07 AH 0691 was stolen from Kumhari. Subsequently, the applicant was arrested and from his possession, the motorcycle was recovered.
3. Learned counsel for the applicant would submit that though the memorandum was given on 23.04.2016, the applicant was arrested on 10.06.2016 and on the basis of one memorandum, four motorcycles were alleged to have been recovered. He further

submits that the applicant has been falsely implicated and he is in jail since 10.06.2016, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the fact that the motorcycle which was alleged to have been stolen was recovered from the possession of the present applicant alongwith other stolen properties, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

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