

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 109 of 2017

Sanjay Yadav S/o Shri Niranjana Yadav, aged about 19 Years,
Occupation Student, R/o Village Bagai Jhariya, Police Station
Bagbahar, Tahsil Paththalgao, District Jashpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
City Kotwali, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vivek Ku. Pandey, Advocate

For Respondent/State : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/01/2017

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.807/2016, registered at Police Station – City Kotwali, Raigarh (C.G.) for the offence punishable under Section 379 of IPC.
2. As per the prosecution case, one Paramjeet Singh lodged a report on 19.12.16 that his Scooty bearing No. CG13UA/5643 was stolen from the front of his house. Subsequently, during investigation, the said motorcycle was recovered from the possession of the present applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated. He submits that no seizure has been made and the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Perused the case diary and the documents.
6. Considering the total facts and circumstances of the case, particularly the fact that the stolen vehicle was recovered from the possession of the present applicant, I am not inclined to release the applicant on bail at this juncture.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge