

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 191 of 2017

- Thamendra Yadav S/o Jenamani Yadav, Aged About 21 Years
Occupation- Student, R/o Village- Bagai Jhariya, Police
Station- Bagbahar, Tahsil- Paththalgaon, District- Jashpur
Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through- Station House Officer, Police
Station- City Kotwali, Raigarh, District- Raigarh Chhattisgarh.
--- **Respondent**

For the applicant	:	Mr. Vivek Pandey, Advocate
For the Respondent	:	Mr. Wasim Miyan, 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. 811/2016 registered at P.S. City Kotwali, Raigarh, Distt. Raigarh (C.G) for the offence punishable under Section 379 of IPC.
2. As per the prosecution case, on 21.12.2016 complainant Sheik Mommad Afsar lodged a report that his motorcycle bearing Regn. No.13-SA/5397 was stolen at Turkapara. Subsequently the police has recovered the motorcycle from the present applicant thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant is a student; he has been falsely implicated in this case and he has not committed any offence, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.

5. Perused the case diary and the documents. It appears that while the applicant was trying to sell the stolen motorcycle which belonged to the complainant, the same was recovered. 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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