

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 311 of 2017

Mukutram Khunte, S/o. Rambilas Khunte, aged about 29 years, Caste-Satnami, R/o. Matiya, Police Station – Gidhouri, Tahsil – Kasdol, District – Baloda Bazar – Bhatapara (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through : the Station House Officer, Police Station – Shivrinarayan, District – Janjgir-Champa (C.G.).

---- Respondent

For Applicant : Mr. S.K. Guha, Advocate

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.01.2017

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.233/2016 registered at Police Station- Shivrinarayan, District – Janjgir-Champa (C.G.) for the offence punishable under Section 392 of the Indian Penal Code.
2. As per the prosecution case, a report was made by the complainant, Ishwari Patel that on 04.11.2016 while she was working in the farm, the applicant came there and looted her ornaments worth Rs.17,000/- and fled away. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and because of some dispute the allegation have been attributed. It is further submitted

that charge-sheet in this case has been filed and the applicant is in jail since 15.11.2016, therefore, the the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties.
6. Perused the case diary and the documents. Perusal of the document would show that the ornaments were seized from the present applicant, which were further identified by the complainant, Ishwari Patel. Taking into such fact and the nature of offence, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge