

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 824 of 2017

1. Pawan Kumar Pardhi, S/o. Shri Jhadi Ram Pardhi, Aged About 38 Years, R/o. Village -Devgaon, Dagardih, Police Station -Kharora, District- Raipur, Chhattisgarh.

----Applicant

Versus

1. State Of Chhattisgarh, Through -Station House Officer, Police Station -Mandir Hasoud, District -Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Dr. S.K. Dadsena, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/02/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.136/2016, registered at Police Station – Mandir Hasoud, District – Raipur (C.G.) for the offence punishable under Section 457, 380/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by complainant - Gannu Prasad Verma on 01.06.2016 that in the intervening night of previous day, theft was took place in the house and Almira and the boxes and the gold ornaments, which was kept

in Almira were stolen, which was total worth Rs.1,83,000/-. Subsequently, the applicant was arrested and on his memorandum, gold ornaments were seized. 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 it is improbable that people are sleeping in the house and from the next door, the entire Almira would have been taken, therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary, documents and the statement. Perusal of the document it reflects that on the memorandum of the applicant, the ornaments were seized, which were identified by the complainant. Taking into such fact 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