

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1258 of 2017**

Smt. Satyabhama Bhatt W/o Loknath Bhatt, Aged About 20 Years R/o
Pasetlewa, District Mahasamund Presently R/o Sonumuda,
Dewarpara, Raigarh Tahsil & District Raigarh Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Jutemill Tahsil & District Raigarh Chhattisgarh

---- Respondent

For applicant	Mr. Amit Sharma, Adv.
For Respondent/State	Mr. Vasim Miyan, PL.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****17/04/2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as she is arrested on 13-9-2016 in connection with Crime No. 539/2016 registered in PS Jute Mill Chowk, Distt. Raigarh for offence punishable under Section 457, 380 of IPC. After investigation, charge sheet has been filed and the case is pending before JMFC, Raigarh as Criminal Case no. 763/2016.
3. Learned counsel for the applicant submits that charges are framed and the matter is pending for recording of evidence. The applicant is in jail for last more than 6 months and if at all, the applicant is held guilty, she cannot be convicted for more than 6 months. Hence the applicant may be granted bail.
4. Per contra, learned counsel for the State opposes the bail application and submits that allegation of theft is for Rs. 1,75,000/- including ornaments and mobile with SIM and the theft articles were seized and test identification parade was also conducted wherein the complainant identified the ornament in the test identification parade. The

complainant and the accused are relative. He submits that the bail application may be rejected.

5. Perused the matter.
6. As per settled law, it would not be correct to submit that maximum sentence is six month for offence under Section 457 and 380 of the IPC as per provisions of said section. The complainant and the accused are relative. From conscious possession of the accused, articles were seized including ornament and same is properly identified in the TIP. On due consideration, I am not inclined to grant bail to the applicant.
7. Consequently, instant MCRC is dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge