

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.1937 of 2017**

- Rishi Kumar Sahu S/o Malik Ram Sahu Aged About 18 Years
R/o Village Ilda, P.S. Kharora, Civil And Revenue District Raipur
Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police
Station Suhela, Civil And Revenue District Baloda Bazar-
Bhatapara Chhattisgarh

---- Respondent

For Applicant	: Shri AP Sharma, Advocate
For Respondent/State	: Shri Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****06.4.2017**

Heard the matter finally.

2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.23/2017 registered in Police Station Suhela, Baloda Bazar for the offence punishable under Sections 380 and 457 of the Indian Penal Code.

3. Learned counsel for the applicant submits that the applicant is in jail since 07.02.2017, charge sheet has been filed, the matter is pending before Judicial Magistrate First Class, Simga, District Baloda Bazar (wrongly mentioned as Tilda in the application). On account of family dispute, the applicant, who is the nephew of the complainant, was arrested and as per the allegation, on the basis

of disclosure statement of the present applicant, motor cycle, documents, ATM card, diary & samsung mobile phone of the complainant, and key of the motor cycle were seized. The applicant has been falsely implicated in the matter, hence, he may be granted bail.

4. On the other hand, learned counsel for the State opposes the bail application and would submit that there is no explanation offered by the applicant regarding seizure which has been made at his instance only. Moreover he is the family member of the complainant.

5. Perused the material.

6. On due consideration of the entire material, I am not inclined to allow the application.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is hereby dismissed.

Certified copy as per rules.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE