

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2125 of 2017**

1. Murtaza Hussain S/o Sahzor Hussain, Aged About 24 Years, R/o Sendhwa, District Badwani, Madhya Pradesh.
2. Yusuf Kadri, S/o Navi Kadri, Aged About 24 Years, R/o Muslim Colony, Madrasa Idgah Road, Bhusawal, District Jalgaon, Maharashtra.
3. Nafaz Khan, S/o Raseed Khan, Aged About 19 Years, R/o Sendhwa, District Badwani, Madhya Pradesh.

**---- Applicants****Versus**

1. State of Chhattisgarh Through District Magistrate, Durg, District Durg, Chhattisgarh.

**---- Non-applicant**


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For Applicants – Shri Rudranath Mukherjee, Advocate.

For Non-applicant/State – Shri Arvinde Shukla, Panel Lawyer.

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**Hon'ble Shri Justice Chandra Bhushan Bajpai****Order on Board****15-05-2017**

1. Heard the matter finally.
2. Learned counsel for the applicants would submit that the applicants held arrested in connection with Crime No.13/2017 by P.S. Ranitarai, District Durg, C.G. for the offence under Section 379/34 of the IPC. Charge sheet has been filed, which is pending before the JMFC Patan as Criminal Case No.81/17. As per the allegation, ornaments valued Rs.2,40,000/- has been stolen and recovered from applicant No.1 Murtaza Hussain and from applicant No.2 Yusuf Kadri and applicant No.3 Nafaz Khan other ornaments in connection with other matter has been seized. The applicants are first offender. Applicant No.3 is aged about 19 years. They will not commit any offence in future. They may be enlarged on bail during trial.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicants and would submit that looking to the ornaments so stolen and seized and other matter, seizure of the ornaments from applicant No.1 and seizure of other ornaments in connection

with other matter, as the applicants are involved in many of theft cases, their application may be dismissed.

4. Perused the entire material.

5. On due consideration of the evidence collected against all the applicants, I am not inclined to grant bail to the applicants. Consequently, the instant MCRC is hereby dismissed.

Sd/-  
**(Chandra Bhushan Bajpai)**  
**JUDGE**