

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.2496 of 2017**

- Loknath Jatwar @ Bhoko S/o Aghori Satnami, Aged About 18 Years Caste Satnami, R/o- Village Mandhaibhatha, Police Station Sasiwa, Tahsil Bilasigah District - Baloda Bazar Bhataapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through: The Station House Officer, Police Station Sarangarh, District -Raigah, Chhattisgarh

---- Respondent

For Applicant : Shri SK Guha, Advocate
 For Respondent/State : Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****04.5.2017**

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.11/2017 registered in Police Station Sarangarh, Distt. Raigarh for the offence punishable under Sections 457 & 380 of the Indian Penal Code.

3. Learned counsel for the applicant submits that the applicant has been arrested on 09.02.2017, after investigation, charge sheet has been filed against the applicant which is pending before Judicial Magistrate First Class, Sarangarh as Criminal Case No. 153/2017. The applicant is the first offender, there is no criminal antecedent, he is in jail since 09.02.2017. On the basis of disclosure statement

made by the applicant, stolen motor cycle has been seized. The applicant is aged about 18 years, he may be granted bail.

4. Per contra, learned counsel for the State opposes the bail application and would submit that one more offence i.e. Crime No. 19/17 for the offence under Sections 457, 380 of the IPC has been registered against the applicant at Police Station Sarsiva. As there is criminal antecedent of the applicant and also looking to the fact that the applicant has stolen motor cycle and LED, instant application may be dismissed.

5. Perused the entire material.

6. On due consideration, looking to criminal antecedent of the applicant and also considering the nature of offence committed by the applicant by breaking the lock, entering to the house of the complainant and stolen the motor cycle and LED and also seizure of the same on the basis of his disclosure statement, I am not inclined to grant bail to the applicant.

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

Sd/-
(Chandra Bhushan Bajpai)
JUDGE