

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3438 of 2017**

Mohan Janghel aged about 23 years son of Shri Santram Janghel R/o Gopal Nagar
Gali No.02 Near Pooja Kirana Stores Gudhiyari District Raipur (CG)

Applicant**Versus**

State of Chhattisgarh through the Station House Officer D.D. Nagar District Raipur
(CG)

Respondent

For Applicant : Smt. Mandavi Bharadwaj, Advocate.

For Respondent : Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****13.06.2017**

1. 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.96/2017 registered at Police Station D.D. Nagar District Raipur for the offence punishable under Sections 380, 457, 34 of the IPC
2. Case of the prosecution, in brief, is that in between from 18.3.2017 to 24.3.2017, the present applicant is said to have broke open the lock and committed theft of one motorcycle, one gold earring and three silver coins from the house of Kamlesh Rahangdale, worth Rs.30,000/-. Subsequently, after his arrest on his memorandum statement, the stolen property were recovered at his instance.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. She

further submits that applicant is in jail since 28.3.2017, therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application and submits that there is some previous case against the present applicant of the year 2017 itself.
5. I have heard the counsel appearing for the parties.
6. Considering the totality of the facts and circumstances of the case, particularly the fact that the applicant is habitual offender, this Court is not inclined to release the applicant on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.
8. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge