

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5647 of 2017

- Arjun Sahu S/o Shri Bodhiram Sahu, Aged About 25 Years R/o Near Shiv Temple Pond, Chingrajpara, Police Station Sarkanda, Bilaspur, Tahsil & District (Revenue & Civil) Bilaspur, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Police Station Sarkanda, Bilaspur, Tahsil & District (Revenue & Civil) Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Anand Kesharwani, Advocate
For the Respondent	:	Mr. S.R.J. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.11.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 347/2017 registered at P.S. Sarkanda, Bilaspur, Distt. Bilaspur (C.G) for the offence punishable under Sections 457, 380 & 511 of IPC.
2. As per the prosecution case, a report was made by one Surendra Rajput that on 15.05.2017 at about 4 a.m., the applicant entered into the house of complainant and thereafter tried to open the Godrej Almirah for committing theft. At that time, the complainant caught hold of the applicant and raised alarm, on which, his two brothers and son-in-law came there and all they have brought the applicant outside the house and identified him as the resident of the same locality and thereafter the applicant was handed over to the Police.
3. Learned counsel for the applicant submits that in fact no

offence has been committed and only the effort was made, therefore, he has been falsely implicated in this case. He further submits that the applicant is in jail since 15.05.2017 and the charge sheet has been filed, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application and submits that the applicant has past antecedents.
5. Perused the statement of the complainant. The applicant appears to have been apprehended on the spot and as stated by the learned State Counsel, earlier the applicant was involved in two cases of like nature under sections 457 and 380 of IPC which were registered as Crime Nos. 439/2007 & 476/2009 and thereafter another case was registered vide Crime No.599 of 2012 for the offence punishable u/s 234, 323, 336 & 34 of IPC.
6. Looking to the past antecedents and background of the applicant, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**