

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7997 of 2016

Sanjeev Kumar Tandi (wrongly mentioned as Tanjhadi), aged about 23 years, son of Shyamlal Tandi, Caste-Satnami, resident of Bhadadih, Police Station – Kharora, District – Raipur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station – Chandrapur, District – Janjgir-Champa (C.G.).

---- Respondent

For Applicant : Mr. C.P. Lahrey, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10.01.2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.43/2016 registered at Police Station- Chandrapur, District – Janjgir-Champa (C.G.) for the offence punishable under Section 379/34 of Indian Penal Code
2. As per the prosecution case, a report was made by Rohit Dongare that present applicant along with other co-accused Dheeraj and Prithvi Raj had taken the car on rent and when the driver went to answer the nature's call, the applicant along with other co-accused fled away with the car. Subsequently, the car was found in abandoned conditions as it is turned turtled near village-Lavan. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and no seizure was made

from the present applicant, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, documents and memorandum statement. Considering the nature of offence and the evidence available against the applicant and further considering the fact that the applicant along with other co-accused have committed the offence and they were trying to sell the car. Considering the same, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge