

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8098 of 2016

Sayyad Gulam Ali @ Banti, S/o. Shri Lala Ali Sayyad, Aged About 28 Years, R/o. Nurani Chowk, Patel Nagar, Police Station Jonk, District Nuvapara, Orissa.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Kotwali, Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Dheerendra Pandey, Advocate

For Respondent : Mr. Anant Bajpai, 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.536/2016 registered at Police Station- Kotwali, District Rajnandgaon (C.G.) for the offence punishable under Section 380, 454, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Vivek Kumar Agrawal that on 08.08.2016 he went to market and his father is in the shop then the present applicant along with other co-accused have committed theft of Ring, Bali & Chain and Ornaments from the shop. Subsequently, the present applicant has been arrested and on his memorandum, it was recovered that the present applicant along-with others have committed the theft.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and no seizure was made from the

present applicant. He further submits that the charge sheet in this case has been filed and no further investigation is necessary, 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 and documents. The applicant was identified in the CCTV Footage who entered into the shop. Considering the statement of the complainant and the identification pared, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge