

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8581 of 2016

Shyam Nirala, S/o. Bhikham Nirala, Aged About 30 Years, R/o. Manikpur,
Rawan Mohalla, House No. 605, Ward No. 30, Korba, Tahsil & District
Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Chowki
Rampur, Police Station Kotwali, Korba, District Korba, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vikas Pandey, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.01.2017

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.320/2016 registered at Police Chowki Rampur, Police Station- Kotwali, Korba, District Korba (C.G.) for the offence punishable under Section 457, 380, 414 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by Sapan Bakshi, owner of Matri Jewelers, that in the intervening night of 20-21.07.2016 theft took place in the shop and certain jewelries were stolen. Subsequently, the applicant was arrested and on his memorandum certain jewelries were recovered from his possession.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and 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 the documents. Considering the facts and circumstances of the case and taking into the nature of recovery, which was made from the present applicant which were identified, 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