

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 6485 OF 2017

Ghanshyam Nirmalkar @ Chhotu Nirmalkar, S/o Late Aatmaram Nirmalkar, aged about 30 years, R/o Village Kodwa, Police Station- Saja, District Bemetara (C.G.)

... Applicant

versus

State of Chhattisgarh, through Police Station Gandai, District Rajnandgaon (C.G.)

... Respondent

For Applicant	:	Mr. Hemant Kesharwani, Advocate.
For Respondent-State	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09/01/2018

1. The present is an application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 19.7.2017 in connection with Crime No.131/2017 registered at Police Station- Gandai, District- Rajnandgaon, for the offence punishable under Section 379 of IPC.
2. Allegation against the Applicant as per the prosecution case is that the Applicant is said to have been found involved in stealing of a motorcycle from the office of Tahsildar, Gandai. On the memorandum statement of the accused Applicant, the said motorcycle is also said to have been recovered.
3. Learned Counsel for the Applicant submits that the Applicant has already remained in jail for a period of about 6 months and therefore considering the nature of offence he may be released on bail.
4. Learned Counsel for the State however opposing the bail application submits that there is also a past antecedent against the Applicant of similar

nature where again he had stolen a motorcycle for which also a case has been registered and which is pending consideration.

5. Considering the facts and circumstances of the case, particularly the nature of offence and also the past antecedent of the Applicant, this Court is of the opinion that prima facie no strong case is made out for grant of bail to the Applicant.

6. Accordingly, the application for grant of bail is rejected.

Sd/-
(P. Sam Koshy)
Judge

/sharad/