

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6340 of 2018

- Sanjay @ Goldi S/o Krishna Aged About 35 Years Occupation- Labour, R/o- Village Jarhi, P.S.- Bhatgaon, Tahsil- Pratappur, District- Surajpur, Chhattisgarh.,

---- Appellant

Versus

- State Of Chhattisgarh Through- P.S.- Bhatgaon, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

---- Respondent

For Applicant	:	Shri D.N.Prajapati, Advocate
For Respondent/State	:	Shri Ravindra Agrawal, G.A.

Order On Board Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/09/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.98/2018 registered at police station Bhatgaon District Surajpur (CG) for the offence punishable under Section 379/34 IPC.

As per prosecution case, the present applicant entered the grocery and cloth shop of the complainant and committed theft of certain articles (biscuits, tea powder, gutka and cash of Rs. 1000/-). It is alleged that after opening the shop in the morning, complainant came to know about the commission of theft and lodged a report against unknown person.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that there is no evidence against the applicant on the basis of which he can be convicted. He submits that the applicant is in jail since 17.06.2018 and the trial will take

time for its final disposal therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application and submits that as many as 23 cases are pending against the applicant.

Considering the totality of the facts and circumstances of the case, looking to the criminal antecedents of the applicant, I am not inclined to release the applicant on bail. Accordingly, his application is rejected.

Sd/-

(Rajani Dubey)
Judge