

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2583 of 2019**

Amrit Singh, son of Saheb Singh Dhilllo, aged about 20 years, R/o Chakaul, Police Station Ajanala, District Amritsar (Punjab), at present R/o village Kaudia, P.S. Nawagarh, District Bemetara (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Nawagarh, Civil and Revenue District Bemetara (CG). **---- Non-applicant**

For Applicant	: Mr. Lavkush Sahu, Advocate
For Non-applicant	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

30.04.2019

1. This is third bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.227/2017 registered at Police Station Nawagarh, Civil and Revenue District Bemetara for the offence punishable under Sections 457, 380/34, 411 of Indian Penal Code.
3. The first bail application of the applicant was dismissed as withdrawn by this Court on 15.01.2019 passed in M.Cr.C. No.9362/2018 and his second bail application was dismissed for want of prosecution by this Court on 05.04.2019 passed in M.Cr.C. No.1930/2019.
4. Case of the prosecution, in brief, is that in the intervening night of 21.12.2017 and 22.12.2017 from the District Cooperative Central Bank Limited, Durg, Branch Nawagarh, one locker containing Rs. 58,82,319.86 was stolen by some unknown persons. On the memorandum of applicant was recorded. During investigation, cash Rs.65,500/-, one motorcycle, one gas cutter, one mobile and one locker were seized from him.
5. Counsel for the applicant argued that the applicant is an innocent and has been falsely implicated in the case hence he be released on bail.
6. On the other hand, counsel for the State opposed the bail application. However, he submitted that previously no criminal antecedent is reported against the applicant in police case diary.
7. Looking to above mentioned facts and circumstances of the case, looking to the material available on record against the applicant, looking to the seriousness of the offence and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of CrPC to the applicant. Consequently, the third bail application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE