

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4288 of 2020**

- Mayank Thakur @ Dadu, S/o Khomlal Thakur, Aged About 18 Years, R/o House No. 112/H, Risali Sector, Bhilai, Near BSF Office, P.S.- Nevai, Tehsil & District- Durg (C. G.).

---- Applicant**Versus**

- State of Chhattisgarh, Through- S.H.O. Nevai, District- Durg (C. G.).

---- Respondent

For Applicant	:	Mr. B.P. Singh, Adv.
For Respondent/State	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.08.2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 261/2019 registered at Police Station- Nevai, District- Durg (C.G.) for the offence punishable under Sections 457, 380, 34 of IPC.
2. The prosecution story, in brief is that, the complainant lodged a report alleging that on 15.06.2019, at about 6.00 P.M., he went to his village and on 27.07.2019, when he returned and found that some bronze articles, one murkhu machine and some other articles were stolen by some unknown person. Based on this, offence has been registered. Present applicant has been taken into custody on 12.10.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the charge-sheet has been filed. The applicant is in jail since 12.10.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application submitting that 12 other cases of same nature have been registered against the present applicant and two pieces of copper articles have been seized from the possession of the applicant, so, it is not a fit case to release him on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**