

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1919 of 2021

Abhijeet Singh, S/o. Hem Singh, Aged About 25 Years, R/o. 36 Quarter
Maharani Ward, Behind Collectorate Bank Office, Maharani Ward
Jagdalpur, District Baster, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station
Bodhgat, District Baster, Chhattisgarh

---- Respondent

For Applicant : Mr. Manish Nigam, Advocate

For Respondent : Mr. Gagan Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

19.07.2021

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.13/2021 registered at Police Station- Bodhgat, Distt. Baster, for the offence punishable under Section 379, 34 of the Indian Penal Code.
2. As per the prosecution case, a report was made by Rajesh Naik that his motorcycle Delux C.G.17 KM 5129 was parked in New Bus Stand Jagdalpur which was stolen. Subsequently, the applicant and other co-accused Gourav Verma have been arrested and from their possession six different motorcycles were seized and one of it was Delux motorcycle C.G. 17 KM 5129.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and only on the basis of memorandum of the co-accused, he has been arrested. He submits that no further recovery is required and the applicant is in jail since 10.01.2021; therefore, the he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the number of vehicles so seized and one of it is of the complainant Rajesh Naik, it appears that the applicant and co-accused were actively involved in the offence of theft of the vehicle, therefore, I am not inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge