

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6729 of 2021**

1. Raghvendra Rajpoot S/o Harisingh Rajpoot, Aged About 21 Years, R/o Village Byaarjo, P.S. Mahobkanth, District Mahoba (Uttar Pradesh).

**----Applicant**

**Versus**

1. State Of Chhattisgarh, Through Station House Officer, P.S. Bhatapara (City), District Balodabazar-Bhatapara (C.G.).

**---- Non-Applicant**

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| For Applicant           | : | Mr. Ram Sajiwan, Advocate. |
| For Non-Applicant/State | : | Ms. Deepti Shukla, P.L.    |

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**MCRC No. 6820 of 2021**

1. Raghvendra Rajpoot S/o Harisingh Rajpoot, Aged About 21 Years R/o Village Byaarjo, Police Station Mahobkanth, District Mahoba (Uttar Pradesh).

**----Applicant**

**Versus**

1. State Of Chhattisgarh, Through Station House Officer, Police Station Bhatapara (City), District Balodabazar-Bhatapara (C.G.).

**---- Non-Applicant**

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| For Applicant           | : | Mr. Ram Sajiwan, Advocate. |
| For Non-Applicant/State | : | Ms. Deepti Shukla, P.L.    |

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**Hon'ble Shri Justice Gautam Chourdiya**  
**Order On Board**

**29/09/2021**

- 1) Heard.
- 2) Both the above applications are being disposed of by this common order.
- 3) These are the **First Bail Applications** filed under Section 439 of Code of Criminal Procedure, 1973 for grant of bail, as he is in jail

since 08/07/2021 in connection with Crime No. 70/2021 & Crime No. 123/2021, registered at Police Station Bhatapara (City), District Balodabazar-Bhatapara (C.G.) for the offence under Sections 457, 380, 452, 458/34 of Indian Penal Code and Sections 25 & 27 of the Arms Act.

- 4) Allegation against the applicant is that on 29/01/2021 he alongwith co-accused Anil Pratap Singh entered the house of the complainant Anandram Sahu and committed theft of Cash Rs. 30,000/-, ornaments of silver and likewise on 13/03/2021 he alongwith juvenile 'A' in conflict with law entered the house of the complainant Omprakash Sahu and committed theft of LED TV of 32" of Rs. 13,300/-, silver ornaments of Rs. 2,400/- & Rs. 600/-, and cash of Rs. 2,500/-. On report being lodged to the above effect, the aforesaid offence have been registered against accused persons.
- 5) Learned Counsel for the applicant submit that the applicant is innocent persons and has been falsely implicated in this case by the complainants Anandram Sahu & Omprakash Sahu. He submits that there is no apprehension of the applicant tampering with the evidence or absconding. He further submits that applicant is in jail since 08/07/2021, charge sheet has already been filed and conclusion of trial is likely to take some time. Therefore, the applicant deserves to be released on bail.
- 6) On the other hand, learned counsel for the State opposes the bail applications. However, she submits that the applicant has **05** criminal antecedents apart from the present crime numbers **i.e.** Crime No. 70/2021, Crime No. 86/2021, Crime No. 129/2021, Crime No. 88/2021 and Crime No. 31/2021 under Section 457, 380, 458/34 of Indian Penal Code and under Section 25 & 27 of Arms Act, registered at Police Station Bhatapara (City), District Balodabazar-Bhatapara (C.G.).
- 7) I have heard learned Counsel for the parties.
- 8) Considering the facts and circumstances of the case, in particular the fact that the applicant has 05 more criminal antecedents of the

year 2021 and other material available in the case dairy, without commenting anything on merits of the case, this Court is not inclined to release the applicant on bail. Accordingly, the application is **rejected**.

**-Sd/-  
(Gautam Chourdiya)  
Judge**

Chandrakant