

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. NO. 2942 of 2015**

1. Vipin Kumar Singh S/o Satyendra Singh Rajput, aged about 20 years
 2. Amit Kumar Choudhari S/o Uday Veer Singh aged about 19 years
- Both are R/o Jyoti Nagar, Dipka, P.S. Dipka, Tahsil Katghora, District Korba (C.G.)

---Applicants**Versus**

State of Chhattisgarh, (District Magistrate), Korba, Through the Police Station Dipka, District Korba (C.G.)

---Non-applicant

For Applicants	:	Mr. S.R.J. Jaiswal, Advocate
For Non-applicant	:	Mr. Qamarul Aziz, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****30/06/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.47/2015, registered at Police Station Dipka, District Korba (C.G.), for the offence punishable under Sections 457, 380, 34 of I.P.C.
2. Case of the prosecution, in brief, is that, present applicants along with other two co-accused persons stolen one LED, Nokia cellphone and motorcycle from the house of complainant- Pawan Mandal in the intervening night of 21-22/03/2015.
3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in the case. He would further submit that no useful purpose would be served by keeping

them in jail. He would lastly submit that charge sheet has been filed and applicants are in jail since 25/03/2015, therefore, they may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants in offence in question and material collected by the prosecution against the applicants, this Court is not inclined to release the applicants on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE