

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3018 OF 2015**

Anil Baag S/o Chatur Baag aged about 26 years R/o village Bade Kumdapali,
P.S. Ambadula, Civil and Revenue District Raigada (Odisha)

---Applicant**Versus**

State of Chhattisgarh, through Police Station Komakhan, Civil and Revenue
District Mahasamund (C.G.).

---Non-applicant

For Applicant	:	Mr. Adil Minhaj, Advocate.
For-Non-applicant	:	Ms. Anusuiya Rajput, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****02/07/2015**

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 applicant who has been arrested in connection with Crime No. 109/2014, registered at Police Station Komakhan, District Mahasamund (C.G.), for the offence punishable under Sections 394, 397, 34 of I.P.C.

2. Case of the prosecution, in brief, is that, applicant along with other co-accused Ugrasen robbed car 'Swift Dzire' from the complainant-Azhar Khan on 20/10/2014 by causing hurt.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that applicant has not been identified and he has been arrested after three months of the incident. He would lastly submit that charge sheet has been filed; applicant is in jail since 25/01/2015 and no useful

purpose would be served by keeping him in jail, therefore, he may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that weapon i.e. knife has been recovered from the possession of applicant on 25/01/2015 and car has been recovered from dense forest.

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; the manner, in which, car is said to have been robbed by causing hurt to the complainant and material collected by the prosecution against the applicant, this Court is not inclined to release the applicant 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