

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 840 of 2015**

Gafur Miyan W/o Late Samtali Miyan Aged About 80 Years Cast - Musalman  
Occupation - Agriculturist R/o Village Bandu Police Station - Ranka Civil And  
Rev. Distt. Garhwa (Jharkhand).

**---- Applicant**

**Versus**

State Of Chhattisgarh Through Police Station Ramanujganj, Distt. Balrampur-  
Ramanujganj Chhattisgarh.

**---- Respondent**

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Shri A.N.Pandey, counsel for the applicant/s.  
Ms. Shubha Shrivastava, Panel Lawyer for the State.

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**Order On Board**

**08/09/2015**

Heard.

The applicant is apprehending his arrest in connection with Crime No.52/99 registered at police station – Ramanujganj, Distt.-Balrampur, Ramanujganj (CG) for alleged commission of offence under Section 395, 397 of IPC.

2. Prosecution case is that the applicant is involved in dacoity which had taken place in the year 1999.

3. Learned counsel for the applicant submits that involvement of the applicant is based on the memorandum of certain co-accused. It is submitted that trial which was pending since 1999 has been concluded and all the accused persons have been acquitted and that the applicant is aged about 80 years. Therefore, he may be granted bail.

4. On the other hand, learned State counsel submits that it is a case of 1999. Since then, the case is registered against the applicant and he remained absconding all these years.

5. Considering the totality of circumstances, no case of anticipatory bail is

made out. The application is therefore rejected. However, if the applicant applies for grant of regular bail before the Court below, the same shall be considered and decided with three days.

**Sd/-**  
**Manindra Mohan Shrivastava**  
**Judge**

Deepti