NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.3383 of 2015

Santosh @ Santosh Verma, (Name incomplete mention in the order sheet), aged about 23 years, S/o Dukhit Verma, R/o Kotmi, P.S. Bhatapara (Gramin), District Baloda-Bazar (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through S.H.O. Nandghat (PS as per challan & cause title of impugned order), District Bemetara (C.G.)

---- Non-applicant

For Applicant:	Mr. Hemant Gupta, Advocate.
For Non-applicant:	Mrs. Anusuiya Rajput, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

28/07/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.267/2015 (Criminal Case No.137/2015 pending in the Court of Judicial Magistrate First Class, Bemetara), registered at Police Station Bemetara, Distt. Bemetara, for the offence punishable under Section 392 of the IPC.
2. Case of the prosecution, in brief, is that on 19-9-2014, the applicant is said to have robbed complainant Ranjit Bharti and looted one cellphone and Rs.5,000/-.
3. I have heard learned counsel for the parties and perused the case diary.
4. Learned counsel for the applicant submits that the applicant has not committed any offence which is apparent from the statement of the complainant who has turned hostile and as such there is no test identification parade and therefore, the applicant be released on bail.
5. On the other hand, learned State counsel opposes the application and

submits that seizure has been made from the present applicant and material prosecution witnesses are yet to be examined to connect the applicant with the offence in question.

6. Taking into consideration the nature and gravity of offence, taking into account the material available in the case diary and the manner in which the applicant is alleged to have looted the complainant, I am not inclined to grant regular bail to the applicant. The application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

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