

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7208 of 2015

Aij Ansari S/o. Shri Basir Ansari, Aged about 24 years, by caste-
Musalman, R/o. Village Dipka, Police Station- Dipka, Tahsil
Katghora, Civil and Revenue District- Korba (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police
Station – Pali, District Korba (C.G.)

---- Respondent

For Applicant	:-	Mr. Nitesh Shrivast, Advocate
For Respondent /State	:-	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

22/12/2015

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. 63/2015, registered at Police Station – Pali, District- Korba (C.G.) for the offence punishable under Sections 394, 307 of IPC and section 25 & 27 of Indian Arms Act.
2. Case of the prosecution, in brief, is that the complainant Ganesh Das Mahant lodged a report that the applicant along with the other co-accused committed dacoity in the Mahalaxmi Petrol Pump on the gun point and looted Rs. 36, 000/-, one mobile of Samsung mobile and also looted the uniform of petrol pump. Thereby the offence is committed.
3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that the identification of the applicant has been made only on the

suspicion and the seizure of Samsung mobile he has been inculpated in this case. He further submits that the charge sheet has been filed and the applicant is in jail since 29.07.2015; therefore, he may be enlarged on bail.

4. State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the charge sheet. Perusal of the case dairy and the charge sheet shows that after arresting the applicant he has been identified alone. The goods and the seizure of mobile was made and the uniform of petrol pump has been recovered from the applicant. Considering the seizure of mobile and the uniform of petrol pump, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)
Judge