

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3382 of 2015

Netram Khamhari, S/o Gunsagar Khamhari, aged about 32 years, Occupation Kolta, R/o Village & Post Baneya (Wrongly mention as Baniya), Police Station & Tahsil Sitapur, District (Revenue & Civil) Surguja (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Police Station Sariya, District (Revenue & Civil) Raigarh (C.G.)

---- Non-applicant

For Applicant:	Mr. S.D. Singh, 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.152/2009 (Criminal Case No.1179/2009 pending in the Court of Judicial Magistrate First Class, Sarangarh), registered at Police Station Sariya, Distt. Surguja, for the offence punishable under Section 392 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that on 16-9-2009, the applicant along with four other co-accused robbed complainant Smt. Kaushalya Patel and looted Rs.55,000/-, and thereby committed the offence.
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, he has falsely been implicated in the case, he is in custody since 3-4-2015 and therefore, he may be released on bail. He further submits that no seizure has been made from the present

applicant,

5. On the other hand, learned State counsel opposes the bail application.
6. Taking into consideration the nature and gravity of offence, the manner in which the applicant and other co-accused are alleged to have robbed the pedestrian / complainant and looted Rs.55,000/-, I am not inclined to grant regular bail to the applicant. The application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge