

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5189 of 2015**

- Prahlad Banjare, S/o. Janakram Banjare, aged about 30 years, R/o. Village Khamaria, Police Station and Post Nandghat, Civil and Revenue District Bemetara (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: Police Station Simga, District Baloda Bazar (C.G.)

---- Non-applicant

For Applicant: Mr. Manoj Paranjpe, Advocate.
For Respondent/State: Mr. Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****01/10/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 149/2015 registered at Police Station Simga, District Baloda Bazar for the offences punishable under Section 394 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant & other four co-accused persons robbed Rs.1,75,000/- & one mobile phone from Petrol Pump, Simga on 2.5.2015 at about 1 A.M. and thereby committed the aforesaid offence.

(3) Counsel for the applicant submits that the applicant has not committed any offence in question and applicant has been falsely implicated in the offence in question as he has not been identified, the applicant is in jail since 27.05.2015; charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State submits that applicant is owner of the Centro car, which was used in the offence in question and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case and the manner in which dacoity has been committed by the applicant; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-