

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5114 of 2015

1. Vikrant Chandrakar, S/o late Basant Kumar, aged about 20 years, R/o New Panchsheel Nagar, Durg, Tahsil and District Durg (C.G.)
2. Nitin Kumar, S/o Ramesh Kumar Ghasgouri, aged about 23 years, R/o Chikhli, District Rajnandgaon (C.G.)

---- Applicants

Versus

State of Chhattisgarh, through the Station House Officer, Police Station Bhilai Nagar, District Durg (C.G.)

---- Non-applicant

For Applicants:	Mr. Avinash Chand Sahu, Advocate.
For Non-applicant:	Mr. Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board28/09/2015

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.363/2014, registered at Police Station Bhilai Nagar, Distt. Durg, for the offence punishable under Section 394 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that on 13-8-2014, at about 10.30 p.m., near Sector-9, Bhilai, the applicants and two other co-accused persons robbed complainant Purnendra Khichariya, Advocate, practicing in the High Court of Chhattisgarh, and thereby committed the offense
3. Learned counsel for the applicants submits that the applicants have not committed any offence, they have been falsely implicated in the crime in question, they are in jail since 10-8-2015 for fairly long time and no identification parade was conducted.
4. On the other hand, learned State counsel opposes the application and submits that identification parade has already been conducted.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case and the manner in which in the late night, the complainant who is an Advocate has been robbed by the applicants, I do not find it a fit case for grant of regular bail to the applicants. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge