

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.683 of 2016

Nirmal Singh @ Gedi, S/o Ramtahal Singh, aged about 24 years, R/o Village Bada Banai, Police Outpost Lodam, Police Station Jashpur, District Jashpur, Civil & Revenue District Jashpur, Chhattisgarh.

---- Applicant

Versus

The State of Chhattisgarh, through Police Outpost Lodam, Police Station Jashpur, District Jashpur, Chhattisgarh.

---- Non-applicant

For Applicant:	Mr. A.K. Prasad, Advocate.
For Non-applicant:	Mr. Dheeraj Kumar Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

23/02/2016

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.262/2015, registered at Police Outpost Lodam, Police Station Jashpur, Distt. Jashpur, for the offence punishable under Sections 341, 394, 120B, 397 of the IPC; 25 and 27 of the Arms Act.
2. Case of the prosecution, in brief, is that on 19-9-2015, the applicant and two other co-accused persons wrongfully restrained complainant Najimuddin Ansari and robbed Rs.67,500/- from him and also robbed Rs.50,000/- from Basiruddin Ansari on gun point, and thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case. The applicant is in jail since 28-9-2015. Charge-sheet has

been filed and no custodial interrogation of the applicant is required.

4. On the other hand, learned State counsel would oppose the application.
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 evidence available against the applicant including recovery of axe upon his memorandum and that he has been identified by the complainant in the test identification parade, I am not inclined to grant bail to the applicant. The application is, therefore, rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma